

TÚSLA
An Ghníomhaireacht um
Leanaí agus an Teaghlach

CHILDRENS SERVICES REGULATION



**The Registration, Regulation,
Inspection and enforcement
processes of Childminders;
An International Review**

TÚSLA

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Child and Family Agency

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Acronyms

ACECQA	Australian Childrens Education and Care Quality Authority
CCDF	Child Care Development Fund
CPL	Continuous Professional Learning
CPR	Cardiopulmonary Resuscitation
CSR	Childrens Services Regulations
CSSCU	Child Safeguarding Statement Compliance Unit (CSSCU)
DCYA	Department of Children and Youth Affairs
ECE	Early Childhood Education
ECEC	Early Childhood Education Care
ECED	Early Childhood Education Directorate
EEC	Early Education Care
ELC	Early Learning Care
ERO	Education Review Office
EYFS	Early Years Foundation Stage
EYLF	Early Years Learning Framework
FINEEC	Finnish Education Evaluation Centre
HMCI	Her Majesty`s Chief Inspector
HSE	Health Service Executive
LEAD	Licensing Education Analytic Database
LMS	Learning Management System
MA	Massachusetts
NFQ	National Quality Framework
NSW	New South Wales
NQS	National Quality Standards
NZQA	New Zealand Qualifications Authority
OCCS	Office of Childcare Services
PQR	Professional Qualifications Registry
SCMA	Scottish Childminding Association
Tusla	Tusla – Child and Family Agency
URN	Unique Reference Number
WRN	Welfare Requirement Notice

Forward: Fiona McDonnell

As National Service Director of Children's Services Regulation Tusla, I am pleased to present *The Registration, Regulation, Inspection and Enforcement Processes of Childminders; An International Review*. Tusla Early Years Inspectorate hopes that this review will assist in directing and guiding the extension for the registration, regulation and inspection of childminders in Ireland. The need to conduct this review was as a result of the policy initiatives for the regulation of childminders outlined in *First 5: A Whole-of-Government Strategy for Babies, Young Children and their Families 2019-2028* (DCYA, 2018). The Early Learning and Care strategy outlines a commitment to reform the Early Learning and Care (ELC) system in Ireland. This reform includes the extension of regulations and supports to all paid childminders and school-age childcare services. I wish to acknowledge and welcome the strategic and innovative policy and practice initiatives outlined in *First 5: A Whole-of-Government Strategy for Babies, Young Children and their Families 2019-2028* (DCYA, 2018).

Tusla Early Years Inspectorate under the Children's Services Regulations Directorate of Tusla is the independent statutory regulator of early years services in Ireland. The Early Years Inspectorate currently inspect pre-schools, playgroups, nurseries, crèches, day-care and similar services which cater for children aged up to six years. The introduction of legislation and extension of regulation of the childminding sector is a positive next step in supporting quality early learning and care provision for all young children who are being cared for outside of their own home environment. As the early years inspectorate we welcome and support the standardisation of the quality of early years provision for all children based on the type of care which parents choose for their children.

The impetus to explore the registration, regulation, inspection and enforcement of the childminding sector in six jurisdictions came as a result of the policy commitment of the Department of Children and Youth Affairs (DCYA) to regulate the childminding sector in Ireland. Having reviewed how childminding is regulated and inspected internationally, Tusla early years inspectorate have identified international practices which could also be considered when evaluating and reviewing the inspection process, which are currently in practice, when registering and regulating all early years service provision in Ireland.

Tusla

Tusla – Child and Family Agency, is Ireland’s dedicated state agency responsible for improving wellbeing and outcomes for children. The Agency was established in 2014 as a result of the merging of the Children and Family Services of the Health Service Executive (HSE), the Family Support Agency and the National Education Welfare Board. The establishment of Tusla - Child and Family Agency represents the most comprehensive reform of child protection, early intervention and family support services ever undertaken in Ireland.

The legislation which outlines the role of Tusla is The Child and Family Agency Act, 2013. The Act outlines that Tusla’s role is to support and promote the development, welfare and protection of children and the effective functioning of families. The Child and Family Agency Act, 2013 is recognised as a very progressive piece of legislation. Under the Act, families are identified as being at the core of strong healthy communities where children and young people have opportunities to thrive and achieve their full potential. The work of Tusla which has a statutory legislative basis is further informed by policy documents such as, *Better Outcomes, Brighter Futures: The National Policy Framework for Children and Young People 2014-2020* (DCYA, 2014) (BOBF) and *First 5: A Whole-of-Government Strategy for Babies, Young Children and their Families 2019-2028* (DCYA, 2018).

The range of services which Tusla has responsibility for include:

- Child protection and welfare services, including family support services
- Family Resource Centres and associated national programmes
- Children’s Services Regulation, with responsibility for the regulation and inspection of early years services, alternative care services and alternative education
- Educational welfare including School Completion Programme and home school liaison
- Domestic, sexual and gender-based violence services
- Services related to the psychological welfare of children

Tusla Quality Assurance Directorate

Tusla Quality Assurance Directorate is responsible for the continuous improvement and efficiency of Tusla services. The Directorate focuses on the quality and safety of service delivery, supporting corporate system development. The role and functions of the Quality Assurance Directorate extends across the systems, the operations and the processes of the Agency. The Quality Assurance Directorate is responsible for promoting continuous improvement and effective risk management in services for children and families by:

- Objectively assessing, monitoring and reporting on the quality and safety of services
- Tracking and driving the reduction of identified risks
- Providing systems, information and tools that support service improvement

The function of the Quality Assurance Directorate is undertaken by, The National Quality Assurance and Monitoring Team. This team provide internal assurance to Tusla Senior Management Team and the Board of Tusla that services provided by Tusla are being delivered in accordance with standards, regulations and legislative requirements. The role of the National Quality Assurance and Monitoring Team is to ensure that all service improvement activity takes place in response to service reviews.

In June 2018, Tusla established a new, nationally integrated governance structure for the Early Years Inspectorate and other Tusla inspectorate functions with the appointment of a new National Service Director of Childrens Services Regulations. The role of Childrens Services Regulations is to centrally co-ordinate the delivery of a targeted, consistent, transparent and proportionate approach to regulation and inspection across a number of areas, including the registration and inspection of early years services. This function serves as an important quality assurance mechanism to the general public.

Childrens Services Regulations (CSR)

Childrens Services Regulations (CSR) is an integrated governance structure situated within the Quality Assurance Directorate. Childrens Services Regulation is responsible for the regulation of children's services and the effective operation and performance management of Tulsa's regulatory programmes. The function of CSR includes the effective planning, design, implementation and delivery of the Agency's regulatory function to support safe, high-quality provision and experiences for children accessing Tulsa registered services.

Tulsa's Children's Services Regulation has responsibility for the regulation, supervision and quality assurance across five broad areas.

- The registration and inspection of pre-schools play groups, day nursery, crèches, day-care and similar services which cater for children aged 0-6 years as outlined in the Child Care Act 1991 (Early Years Services) Regulations 2016 and the Child Care Act 1991 (Early Years Services) (Amendment) Regulations 2016 (Government of Ireland, 2016). This function is undertaken by the early years inspectorate.
- The registration of School–Age Service provision as outlined in the Child Care Act 1991 (Early Years Services) (Registration of School Age Services) Regulations 2018 (Government of Ireland, 2018). This function is undertaken by the school age childcare team.
- The inspection and registration of non-statutory children's residential centres which are managed by voluntary organisations or by private providers and the monitoring of six non-statutory foster care agencies. This function is undertaken by the Alternative Care Inspection and Monitoring Service.
- The regulation and inspection of educational provision which is provided in places which are not recognised schools. This function is undertaken by the Alternative Education Registration and Assessment Service.

Childrens Services Regulations is also responsible for Tulsa's Child Safeguarding Statement Compliance Unit (CSSCU). The Child Safeguarding Statement Compliance Unit manages the legal requirement for service providers to have a Child Safeguarding Statement in place. The unit is responsible to operate and maintain the required register of non-compliance under Articles 12 & 13 of the Children First Act 2015 (Government of Ireland, 2015)

Early Years Inspectorate

Tusla – Child and Family Agency is the independent statutory regulator of early years services in Ireland. Tusla early years inspectorate are responsible for inspecting pre-schools, playgroups, nurseries, crèches, day-care and similar services which cater for children aged up to six years. The early years inspection service was introduced in 1997, under Part VII of the Child Care Act 1991, which gave effect to the Child Care (Pre-School Services) Regulations 1996. Centre based early years services are currently inspected against the Child Care Act 1991 (Early Years Services) Regulations 2016 and the Child Care Act 1991 (Early Years Services) (Amendment) Regulations (Government of Ireland, 2016). The role of Tusla early years inspectorate is to promote and monitor the safety and quality of care provision in early years services in accordance with the Regulations. The early years inspectorate assess applications for registration of early years services, conduct fit for purpose inspections of proposed new early years services and inspect Tusla registered early years services against the Child Care Act 1991 (Early Years Services) Regulations 2016 and the Child Care Act 1991 (Early Years Services) (Amendment) Regulations.

Introduction

The Growing Up in Ireland National Longitudinal Study of Children (Mc Ginnity et al., 2013, P. 57) found that the most common type of childcare in Ireland was that provided by a relative (42.2%), followed by non-relatives (30.7%) and centre-based care such as crèches (27%). A non-relative child carer is described in the study as a person who looks after the child in a home-based setting and is either known to the parents such as a friend or neighbour, a childminder or an au-pair. The Working Group on Reforms and Supports for the Child-minding Sector (2018, p.18) suggest that there are an estimated 35,000 childminders providing home-based child care in Ireland. *First 5: A Whole-of-Government Strategy for Babies, Young Children and their Families 2019-2028* (DCYA, 2018) has identified a policy commitment to reform the Early Learning and Care (ELC) system in Ireland. This reform includes ‘the extension of regulations and supports to all paid childminders and school-age childcare services’ (p.11).

Childminding in Ireland is regulated under the Child Care Act 1991 (Early Years Services) Regulations 2016. A ‘childminder’ is defined as a person who provides a child-minding service. A ‘child-minding service’ is described in the Regulations as;

‘a pre-school service, which may include an over-night pre-school service, offered by a person who single-handedly takes care of pre-school children, which may include the persons own children, in the person`s home for a total of more than 2 hours per day, except where the exemptions provided in section 58L of the Act apply’. (Government of Ireland, 2016, p. 5)

The Child Care Act 1991 (Early Years Services) Regulations 2016 require that a childminder can take care of no more than five early year’s children at any given time, including their own early year’s children. There is a further stipulation that no more than two children under the age of 15 months can be cared for by the childminder at any given time unless they are siblings, this includes the childminder’s own early years children.

Taking into consideration the policy commitment in *First 5: A Whole-of-Government Strategy for Babies, Young Children and their Families 2019-2028* (DCYA, 2018) regarding ‘the extension of regulations and supports to all paid childminders and school-age childcare services’ (DCYA, 2018, P. 11) and following on from the work of the Working Group on reforms and supports for the child-minding sector (The Working Group on the Reforms and Supports for the Childminding Sector, 2018), Children’s Services Regulations, Tusla Early Years Inspectorate have undertaken a review of the registration, regulation, inspection and enforcement of regulations of

childminding provision in six jurisdictions, England, New South Wales South Australia, Scotland, Boston, Massachusetts (MA) USA, Finland and New Zealand.

This paper offers an overview of the registration, regulation, inspection and enforcement processes in each of the six jurisdictions starting with our neighbours England. An outline of the legislation, regulation, inspection and enforcement processes in, New South Wales, Scotland, Boston MA, Finland and New Zealand will also be presented. The aim of this study is to provide a comprehensive review of the regulatory context of childminding in the six geographical areas, which will support thinking and future policy and practice developments of the childminding sector in Ireland. At the end of each country profile the conclusion provides short bullet points which summarise the provision in that jurisdiction. This is followed by a summary of areas which are specific to a particular jurisdiction.

Childminding: Registration, Regulation and Inspection in England

In September 2014 the UK Government brought in the Childcare (Childminder Agencies) Miscellaneous Amendments) Regulations 2014 (Gov.UK, 2014a). These Regulations were introduced so that prospective childminders could choose whether to register with an agency or with Ofsted (Gov.UK, 2018). Ofsted is governed under the Childcare Act 2006 (Legislation .Gov. UK, 2006) and also by The Childcare (Early Years Register) Regulations 2008. Ofsted is also governed by the Childcare (General Childcare Register) Regulations 2008 and the Childcare (Early Years and General Childcare Register) (Common Provisions) Regulations 2008 (Legislation.Gov.UK, 2008). The process of registering as a childminder varies in the United Kingdom depending on whether the childminder registers with Ofsted or a Childminding Agency.

Definition of a Childminder

A childminder is described by Ofsted (2020a) as a person who is registered to look after one or more children, to whom they are not related in domestic premises for reward. Childminders in England work with no more than two other childminders or assistants. The role of the childminder in England is to care for children at a private dwelling that is not the home of one of the children, or care for children from more than two families wholly or mainly in the home of one of the children. Childminders must register to care for children under the age of eight and can choose to register to care for older children. A childminder in England cares for at least one individual child for a total of more than two hours in any day; this does not necessarily have to be a continuous period of time.

Ofsted

Ofsted is the Office for Standards in Education, Children's Services and Skills in England. The role of Ofsted is to ensure that organisations providing education, training and care services in England do so to a high standard for children and students. Ofsted carries out their role through independent inspection and regulation and as such provide an independent assessment of the quality of provision (Ofsted, 2020b). Regulation, Ofsted (2020c) suggest determines whether providers are fit to provide services and enforcement action is taken by Ofsted against services which do not meet the regulatory requirements.

Ofsted inspectors conduct hundreds of inspections and regulatory visits throughout England and publish the results online. The authority reports directly to Parliament and is independent and

impartial. There are approximately 1800 employed by Ofsted across eight regions and Ofsted also contracts more than 2,300 Ofsted Inspectors to carry out inspections of schools and further education and skills provision (Ofsted, 2020b).

Legislation

The Childcare Act 2006 (the Act) establishes Her Majesty's Chief Inspector of Education, Children's Services and Skills (HMCI) as the authority for the regulation of childminding and childcare in both domestic and non-domestic premises in England. The Act gives HMCI responsibility for the registration and inspection of providers who are registered on the childcare register and also the responsibility for enforcement where it appears that legal requirements are not being met. The Act and associated regulations set out the requirements with which, childcare providers must comply, and against which their provision is regulated. The regulations are The Childcare (General Childcare Register) Regulations 2008, as amended in the Childcare (Welfare and Registration Requirements) (Amendment) Regulations 2014 (Legislation.Co.UK, 2014b).

Early Years Age Group

The early years age group in England is identified as being aged from birth until the 31st of August following, the child's fifth birthday, where the child is attending an early year setting which delivers the Early Years Foundation Stage Programme. These early years settings are required to be registered on the Early Years Register (2020a).

Early Years Register: Compulsory

The Early Years Register is a register of providers who are registered by Ofsted to care for children in the early years age group from birth to the 31st August after the child's fifth birthday. Childminders who look after children from birth to 31st August after their fifth birthday and childminders who look after children from the 1st September after their fifth birthday up to their eight birthdays must join the compulsory register.

Childcare Voluntary Registration

Childminders looking after children aged eight and over may join the voluntary register or both registers the compulsory and voluntary register.

Registration

Childminders' caring for children from more than two different families at the same time are required to register on the Early Years Register. All registered childcare providers must follow any relevant legislation, including laws about health and safety, disability discrimination, food hygiene, fire and planning requirements (2020c).

Exemption from registration

Childminders are exempt from registration, provided that the childminding is happening in the home of the children being cared for.

Childminders Joining the Early Years Register

Childminders in England who wish to join the Early Years Register to look after children under the age of 5 five years must follow the safeguarding and welfare and learning and development standards set out in the *Statutory Framework for the Early Years Foundation Stage* (EYFS) (Department of Education, 2017).

Childcare Register: core requirements

The following are the requirements for all childminders who register with Ofsted. There are also additional requirements depending on which part of the register the childminder is joining.

- Childminders must; ensure that children receiving childcare are kept safe from harm.
- Childminders must; not use corporal punishment and ensure that no person caring for children or living or working where childcare is provided uses corporal punishment.
- Childminders must; manage children's behaviour in a suitable manner.
- Childminders must; be present at all times when providing childcare, the only exception to this is that a childminding assistant can look after children for up to two hours a day if their parents or carers have given their permission.
- Childminders must; not smoke on the premises.
- Childminders must; not consume or be under the influence of drugs or alcohol while looking after children or just before they arrive. This also includes medication that might affect the childminder's ability to look after children.

Childminders must; be 18 or over and make sure that anyone aged under 17 who looks after children is supervised at all times by someone aged 18 or over (Gov.UK, 2020a).

Childminders in England must register when all of the following apply (OFSTED,2014)

- The childminder is looking after children under eight years of age
- The childminder looks after the child for more than two hours per day
- The childminder looks after the children in the childminders home
- The childminder gets paid to look after the child/children this includes payment in kind
- The childminder must be over eighteen years and have a legal right to work in England
- The childminder is not barred from working with children
- The childminder has not been refused registration in the past or have had their registration cancelled, unless it was because they did not pay their yearly fee
- A childminder cannot mind children in a home where a disqualified person lives or works

Adult / child ratio and specifications

Childminders in England may care for a maximum of six children under the age of eight years. Of these six children a maximum of three children may be under five years and there should only be one child under the age of one year. Exceptions to the usual ratios can be made for example, when childminders are caring for sibling babies, or when the childminder is also caring for her / his own baby. The Ofsted (2014) register requirements confirm that it is imperative that any care provided for older children does not adversely affect the care of children receiving early years provision.

Qualification Requirement

Childminders must:

- Have an appropriate first aid qualification
- Attend child protection training so that they can identify and act on any signs that a child may be suffering from harm
- Train any assistants on the child safeguarding policy and procedures (Ofsted, 2014; 2020a)

Childminding Facilities

The childminder must:

- Make sure that the premises and equipment are safe and suitable for childcare
- Ensure that no-one can enter the premises without the knowledge of the person or people looking after the children
- Have a suitable place to prepare food, if provided by the childminder. All food provided by the childminder must be properly prepared, wholesome and nutritious
- Make sure that children have access to drinking water and enough suitable toilet and hand-washing facilities
- Provide access to a secure outdoor space, or if this is not possible, make reasonable arrangements for outdoor activities

Organising childcare

Childminders must:

- Make arrangements with other childcare providers or with parents for occasions where they cannot provide childcare
- Provide accessible and inclusive childcare. Childminders cannot refuse to provide childcare or treat any child less well than another because of their race, religion, home language, family background, gender, disability and/or special educational needs
- Take all reasonable steps to ensure that disabled children have access to the premises

Policies and Procedures for Safeguarding children

Childminders are required to:

- Have and follow a written child protection policy to safeguard the children they look after, from abuse or neglect
- Make sure that anyone who has unsupervised contact with, or who looks after, children is suitable and has got an enhanced Disclosure and Barring Services check
- Contact any Local Safeguarding Children Board and Director of Children's Services if appropriate
- Minimise any risks to the health and safety of children and staff.

Dealing with complaints

The childminder must:

- Have a written complaints policy for any complaints relating to Childcare Register requirements that parents make in writing
- Fully investigate each complaint and keep a written record of these complaints for three years. Records should include the outcome of the investigation and any actions taken in response
- Respond to the parent who made the complaint and tell them about the complaint outcome within 28 days of the complaint date. The child minders response should be in writing if the parent requests same
- Provide Ofsted with a summary of complaints made during the last 12 months and the actions taken as a result, or a list of complaints made during the previous three years, if requested by Ofsted.

Records and information

Childminders must record the following records and maintain for two years for each child:

- The child's name, home address and date of birth
- Name, home address and telephone number of their parent/guardian/carer.
- A daily record of the child's name and hours of attendance
- Any medicine given, including the date, circumstances and who gave it (this includes medicine that the child takes themselves) and a record of their parent/guardian/carer's consent.

Records which must be maintained

The childminder must also keep records of:

- Any accidents on the premises
- The name, home address and telephone number of everyone living or working where childcare is provided.

Partnership with parents

The childminder must give parents:

- Information about the children's activities
- Copies of the safeguarding and complaints policies
- Details of the registration system for the Childcare Register and Ofsted's address.

Keeping Ofsted informed

The childminder must tell Ofsted about changes to any of the following within 14 days of the change happening:

- Childminders name and contact details
- Childminders address where they look after children
- The type of childcare provided (for example, if the person is registered as a childminder and starts looking after children in the child's own home, this means they are now working as a nanny)
- Any event that might affect the suitability of the childminder (or the suitability of anyone else) to look after children, such as any potentially disqualifying offences or orders
- The name, date of birth, address and telephone number of any person aged 16 or over working or living in the home during childcare hours.

Making Ofsted Aware

The Childminder must make Ofsted aware of:

- Any incident of food poisoning affecting two or more of the children in their care
- Any serious accident or injury to, or the death of, any child while receiving childcare
- Any allegation of serious harm or abuse occurring on the premises
- Any allegation of serious harm or abuse committed elsewhere by anyone who looks after children with the childminder.

Governance

The childminder must:

- Have personal liability insurance covering death, injury, public liability, damage or other loss
- Display their registration certificate on the premises where they provide childcare
- Display a notice if your registration has been suspended (Ofsted, 2014).

Compulsory part of the Childcare Register: extra requirements:

Childminders must:

- Attend child protection training so that they can identify and act on any signs that a child may be suffering from harm
- Give any childminding assistants support and guidance about child protection and ensure that they are alert to any signs that a child may be suffering from harm
- Ensure that there is at least one person aged 18 or over for every six children being looked after
- Make sure that they (the childminder) and any assistants looking after children have good enough English to ensure children's welfare and safety (for example, to read instructions or call for help)
- Make sure that no child can leave the premises unsupervised
- Arrange any necessary training to make sure that any assistants have suitable skills and experience to care for children.

Voluntary Childcare Register: extra requirements

Childminders on the Voluntary Childcare Register must:

- Have a minimum level 2 qualification in an area of work relevant to childcare, or training in the common core skills
- Make sure children cannot leave the premises unsupervised, unless they are aged eight or over and have parental permission to leave by themselves

Application to Register

The following are required when applying to register as a childminder in England.

- Enhanced Disclosure and Barring Services check for the childminder and anyone over 16 years in the childminders home. This includes all who live in the home, work in the home, during childminding hours and assist in childminding or are regular visitors to the home
- Police checking is required for childminders who have worked abroad in the last five years
- Certificates of training dependent on local authority area
- First Aid qualification suitable for the age range of children the childminder is working with
- Healthcare declaration booklet (Gov.UK, 2020b)

- Conduct a risk assessment and develop a safety statement for the home, to assess risks to children's health, safety and welfare
- Evidence of Public Liability insurance
- Contact details for two referees.

Cost:

A fee of £35 is payable to register as a childminder, for children of all age groups.

Registration Process

Registration application as a childminder is an online process (pilot). On receipt of the application, Ofsted conduct background checks with local authorities; check the references and email the applicant a unique reference number (URN).

Registration visit

All childminders caring for children less than five years of age receive a registration visit from Ofsted when all documentation checks have been completed.

During the registration visit, the Ofsted inspector checks:

- Proof of identity and address
- Training and first aid qualifications
- That all relevant details are included in the application
- The childminders work history
- That a risk assessment has been carried out to make sure that the premises, equipment and resources, such as high chairs, cots, buggies and car seats, are safe and suitable for children
- That the childminder and any staff or assistants looking after children have good enough English that they can develop children's English language skills.

The Inspector assesses the suitability of the childminder to provide childcare, to follow both the safeguarding and welfare requirements and the learning and development requirements of the *Statutory Framework for the Early Years Foundation Stage* (EYFS) (Department of Education, 2017).

Documents Inspected on the Registration Visit

(Ofsted, 2018)

Document type	Examples
Photo ID	Passport or driving licence
Proof of address (2 pieces of evidence)	Gas, electricity, water or council tax bill, or a letter from a government agency Credit card, bank or mortgage statement
Proof of any name changes	Marriage certificate or decree absolute
Employment history	CV or details of where the childminder has worked
First aid	Paediatric first aid certificate
Childcare training	Certificates
Criminal record (DBS) checks	Certificates for everyone aged 16 or older who lives or works in childminders home
Driving documents	Driving licences, car insurance and MOT certificate (if driving children).
First aid	Paediatric first aid certificate
Childcare training	Certificates
Criminal record (DBS) checks	Certificates for everyone aged 16 or older who lives or works in childminders home.
Driving documents	Driving licences, car insurance and MOT certificate (if driving children)

Registration Decision

At the end of the registration visit the inspector advises whether the registration application is approved or not. If approved a registration certificate, together with information about the next steps are forwarded to the childminder.

If the childminder cannot demonstrate that they are suitable to be registered as a childminder, Ofsted may refuse the application. A ‘*notice of intention*’ to refuse is forwarded to the applicant. If the applicant does not respond to the notice within 14 working days of the notice date, a ‘*notice of decision*’ to refuse registration and information on the appeals process follows (Ofsted 2020a).

Ofsted Inspection

All registered childcare providers are regularly inspected by the Office for Standards in Education, Children’s Services and Skills (Ofsted) to ensure that they are compliant with all aspects of the *Statutory Framework for the Early Years Foundation Stage* (EYFS) (Department of Education, 2017), (Ofsted, 2019).

Once a provider is registered, Ofsted carries out regular inspections to evaluate the overall quality and standards of the services early years provision, in line with the principles and requirements of the *Statutory Framework for the Early Years Foundation Stage* (EYFS) (Department of Education, 2017). Ofsted have inspection cycles and new registrations are usually inspected within 30 months of registration with settings inspected at least once within each four-year cycle. Childminders who are only registered on the Childcare Register are not all routinely inspected, a random selection of 10% of registered childminders are inspected. However, if there is a concern about the care provided by a childminder on the Childcare Register, this will be investigated by Ofsted and may result in an inspection (Ofsted, 2019). For childminders already registered, all inspections are graded. Ofsted inspection of early years providers focuses on children's education, their personal and emotional development and the progress children make in their learning. Inspectors check a sample of documentation as well as observing the childminder working with the children. The results of the graded inspections are published on the Ofsted website and graded as;

1. Outstanding
2. Good
3. Requires Improvement
4. Inadequate.

Early Years services are registered and inspected against the requirements of the *Statutory Framework for the Early Years Foundation Stage* (EYFS) (Department of Education, 2017). A resource; *Childminder Quality Audit* is available to purchase from Ofsted to support childminders in preparation for their inspection (Childminding UK 2020). The following areas are covered in the audit tool.

- Effective leadership and management
- Quality of teaching, learning and assessment
- Personal development, behaviour and welfare
- Outcomes for children.

Inspections of childminders are conducted under the following headings

- Welfare of the children being cared for
- Arrangement for safeguarding children
- Suitability of persons to care for, or be in regular contact with, children
- Qualifications and training
- Suitability and safety of premises and equipment
- How the childcare provision is organised
- Procedures for dealing with complaints
- Records to be kept (Ofsted, 2014)
- Providing information to parents
- Providing information to Ofsted
- Changes to premises and provision
- Changes to people
- Matters affecting the welfare of children
- Insurance
- Certificate of registration.

The Early Years Inspection Handbook (Ofsted, 2019) describes the main activities that Ofsted inspectors undertake when they conduct inspections of early years providers in England registered under sections 49 and 50 of the Childcare Act 2006. The handbook also sets out the judgements that inspectors make and on which they report.

Enforcement

The legal basis of Ofsted's enforcement work is set out in the Childcare Act 2006 and its associated regulations. Ofsted's role is to establish whether a registered person is meeting the requirements of the *Statutory Framework for the Early Years Foundation Stage* (EYFS) (Department of Education, 2017). The early year's compliance handbook (Ofsted, 2019b) outlines the requirements for registration on the Childcare Register and Ofsted's role in making a decision on whether a person remains suitable for registration.

Thresholds for enforcement action

(Ofsted, 2019b)

Ofsted can use their enforcement powers only when particular thresholds are not met, they can take enforcement action alongside an inspection, if appropriate.

Suspension of registration

Where Ofsted inspectors reasonably believe that the continued provision of childcare by the registered person to any child may expose such a child to a risk of harm, then Ofsted can suspend registration. The initial period of suspension is six weeks.

Extension of suspension

Extended suspension cannot be for a continuous period exceeding 12 weeks in total, unless it is decided to cancel the provider's registration, either by notice or by an emergency application to a magistrate.

Enforcement notices for unregistered childminders

An enforcement notice is a legal letter that Ofsted sends to a person telling them that they cannot provide childminding without being registered with Ofsted. Failure to comply with the notice is an offence. If Ofsted have reason to believe that a person is providing childminding for which registration is required without being registered they issue an enforcement notice. An enforcement notice may also be issued if a person has not complied with a written request from Ofsted that she or he ceases to act as a childminder without being registered with them.

Welfare Requirements Notice

A Welfare Requirements Notice (WRN) sets out the actions that a provider must take by a certain date to meet the safeguarding and welfare requirements in the *Statutory Framework for the Early Years Foundation Stage* (EYFS) (Department of Education, 2017).

Conditions of Registration

Conditions of registration are not applied routinely by Ofsted. However, in exceptional circumstances Ofsted retain the power to apply conditions.

Prosecution

The following are the general prosecution thresholds, applied by Ofsted:

- The registered person has committed an offence
- The person committed the offence within the last three years
- Proceedings begin within six months from the date on which evidence, sufficient in Ofsted's opinion to warrant the proceedings, becomes known to Ofsted
- There is sufficient and reliable evidence to support a prosecution according to the standard of proof needed
- Prosecution is in the public interest. Ofsted consider whether other enforcement action will achieve the required outcome when deciding whether prosecution is in the public interest.

Conclusion:

Based on the detail outlined above;

All Childminders:	In England are required to register with Ofsted or a Child minding agency if caring for children under 8 years old
Time:	For more than two hours per day.
Place:	In the child minders own home, or in the home of a child where another child who does not live there is also being minded by the child minder.
Ratio:	1:6
Age range:	3 children < 5 years 1 child < 1 year (exceptions apply, twins)
Inspectorate:	Ofsted
Inspection Under:	Standards in Education, Children's Services and Skills <i>Statutory Framework for the Early Years Foundation Stage (EYFS)</i> (Department of Education, 2017)
Regulations:	The Childcare Act, 2006. The Childcare (General Childcare Register) Regulations 2008, as amended in the Childcare (Welfare and Registration Requirements) (Amendment) Regulations 2014
Childminders:	Over 18 years
Qualifications:	Appropriate First Aid Certificate, Child Protection Training, Specific training requirements identified by the Local Authority

Specific to the England

- Childminders can work alone or with up to two other childminders or assistants
- Under core requirements, childminders must be present at all times when caring for children, the only exception to this is when parents give permission for a childminding assistant to look after the child for up to two hours per day
- Other compulsory requirements are that the childminder must ensure that they and any of their assistants who look after children have “good enough English” to ensure children’s welfare and safety (read instructions or call for help)
- Childminders must make arrangements with other childminders or parents when childcare cannot be provided
- The first aid qualifications must be suitable for the age range of children the childminder works with
- All childminders must complete a health declaration booklet prior to registration
- The application for registration is an online process. Background checks are conducted by Ofsted
- The childminder must display the registration certificate in a prominent position on the premises, they must also display any notice of suspension
- A registration visit is undertaken for all childminders looking after children under 5 years. During the registration visit proof of ID, driving documents, training etc. are checked
- All newly registered childminders are inspected within 30 months and once again in the four- year inspection cycle
- Inspections are graded: Outstanding, Good, Requires Improvement, Inadequate
- Enforcement: based on thresholds;
 - Suspension of registration is for an initial 6-weeks period
 - Extension of suspension; cannot exceeding 12 weeks
- For childminders operating out of registration, an enforcement notice is issued to cease operation
- A welfare requirement notice is issued when providers are given a time frame to complete an action as required to ensure health safety and welfare
- Conditions are not routinely applied to registration, but Ofsted have the power to apply same.

Childminding: License, Regulation and Inspection in New South Wales Australia

Family Day Care Services in South Australia are regulated under the Education and Care Services National Regulations. These Regulations are made under sections 301 and 324 of the Education and Care Services National Law (New South Wales Government, 2019a). The Education and Care Services National Regulations (National Regulations) support the National Law by providing detail on a range of operational requirements for an education and care service including: the *National Quality Standard* (Australian Childrens Education and Care Quality Authority (2018a). The National Law provides for a jointly governed, uniform, national approach to the regulation and quality assessment of education and care services. The Education and Care Services National Law 2010 was passed by Canberra and adopted by other states and territories. The national legislative framework consists of the Education and Care Services National Law (Australian Childrens Education and Care Quality Authority, 2018b) and the Education and Care Services National Regulations (New South Wales Government, 2019).

The National Quality Framework (NQF), (Australian Childrens Education and Care Quality Authority (ACECQA) National Quality Framework, 2020a) is a national system for the regulation and quality assessment of child care and early learning services. The NQF was established on 1 January 2012 and sets out requirements for child care and early learning service providers, including qualification and educator-to-child ratios. The NQF replaced existing separate state/territory licensing and quality assurance processes

Family day care educators in New South Wales

All family day care educators in New South Wales are registered with a family day care scheme. Family day care educators are early childhood education and care professionals who engage in the principles and practices of the Early Years Learning Framework (EYLF) and work within the requirements of the National Quality Framework (Australian Childrens Education and Care Quality Authority (ACECQA) National Quality Framework, 2020a).

In order to provide a safe educational environment for children, the following are the requirements;

- All family day care educators must be registered with an approved family day care service
- Hold or be actively working towards a Certificate III level education and care qualification
- Maintain current first aid and CPR certificates and training in the emergency management of asthma and anaphylaxis

- Meet national quality standards which include maintaining quality individualised learning programs, safe and hygienic learning environments, record keeping and qualifications
- Maintain a clearance for working with children
- Participate in regular support and monitoring visits conducted by their approved service
Attend training, meetings and workshops periodically to maintain currency of skills and knowledge
- Maintain public liability insurance coverage (NSW Government Regulatory Framework, 2020a).

Family Day Care Scheme/ service

A family day care service means a child care service that organises or arranges for a service to be provided by a carer at the home of the carer for the purpose of educating, minding or caring for (but without providing residential care for) one or more children (disregarding any children who are related to the carer). An approved family day care service scheme is responsible for the effective operation of all components of family day care, including recruiting, training and supporting educators, monitoring care provision and providing advice, support and information for families. The service also assists in matching the individual needs of children and families with an appropriate family day care educator.

License approval

The process for approval to operate a family day care or home based service in New South Wales is twofold. This consists of a license as an approved service provider (Family day care scheme) or a license to operate a service as a service operator or childminder.

Application for family daycare service/ scheme licence approval

Applications for family day care service/ scheme approval are made to the Regulatory Authority, the New South Wales Department of Education in writing; the application includes the relevant documentation and fee. An application for a service approval for a family day care service/scheme is granted under section 50A only if the circumstances exist (ACECQA, 2020a) as outlined in the National Quality Framework. A service approval for a family day care service is granted subject to a condition that the approved provider must ensure that each family day care educator engaged by or registered with the service is adequately monitored and supported by a family day care co-ordinator. Approval for a family day care service is granted subject to a condition that each family

day care residence, and any approved family day care venue of the service, is located within the jurisdiction. The National Quality Framework guidance for Family Day Care confirms that for all approved Family Day Care services there must be:

- A Coordinator-to-educator ratio of 1:15
- A maximum of 12 Family Day Care educators
- For existing Family Day Care services (that do not have a condition limiting the maximum number of educators per service or a prescribed Coordinator-to-educator ratio), there is a condition that requires that a Coordinator-to-educator ratio of 1:15 must apply
- A condition limiting the maximum number of educators per service is determined on a case-by-case basis using a risk-based approach (New South Wales Government, 2018)

Information to accompany application; licence for family day care service/ scheme approval

An application for a licence for a service must be accompanied by information to demonstrate that the applicant is a fit and proper person to manage the provision of the service to which the licence relates.

Enquiries about proposed licensee

For the purposes of establishing whether or not an applicant for a licence for a service, is a fit and proper person, a criminal record check is conducted other inquiries as the officer considers appropriate may be made and/or an interview and assessment carried out.

Penalty

- \$10 000, in the case of an individual
- \$50 000, in any other case
- Provider approval may be reassessed, amended, suspended or cancelled

Family day care service / scheme policies

An application for a licence for a family day care service/ scheme must be accompanied by a written statement and implementation plan for the service setting out the policies, practices and procedures to be implemented by the service with respect to the operation of the service.

Qualification requirements for family day care service/ scheme (ACECQA, 2020e)

All coordinators or supervisors of family day care services or schemes must have completed a three year tertiary course in early childhood education or an alternative qualification deemed by the Minister.

Application for licence for provider licence approval (ACECQA, 2018d)

An applicant for a licence for a service must be 18 or more years of age.

The application must include the following:

- The applicant's full name and all known former names
- The applicant's postal address and telephone number
- The applicant's residential address
- The experience and training of the applicant
- Details of any child care services previously operated by the applicant
- The address of the premises where the childcare service is to be provided by the licensee
- An authority to obtain details of any record of criminal conviction
- Details of any criminal conviction of the applicant relating to neglect or assault (including sexual assault) of a child
- Such other information as the Minister may reasonably require to assist in the determination of the application
- The Director-General may require an applicant for a licence for a service to furnish such further particulars with respect to the application
- The applicant must advertise notice of the making of the application in a daily newspaper circulating generally throughout the jurisdiction within 10 working days of the making of the application.

Provider license approval

(New South Wales Government, 2019b)

The Regulatory Authority; The New South Wales Department of Education may decide based on the documentation submitted to;

- Grant the provider approval
- Refuse to grant the provider approval
- A provider approval is granted subject to conditions in accordance with section 19 of; The National Quality Framework.

A provider approval granted under section 15 of the framework continues in force until it is cancelled or surrendered under this Law. In the case of a home based child care service, the licence is publicly displayed at the carer's home.

Conditions on provider license approval

A provider approval may be granted subject to any conditions that are prescribed in the national regulations or that are determined by the Regulatory Authority.

Without limiting subsection (1), a provider approval is subject to the condition that the approved provider must comply with this Law. A condition of a provider approval applies to the provider as the operator of any education and care service or associated children's service, unless the condition expressly proves otherwise. An approved provider must comply with the conditions of the provider approval (Australian Childrens Education and Care Quality Authority, 2018c).

Qualification requirements for family day care providers (ACECQA, 2020e)

Evidence must be provided to show that the educator has completed:

- First aid training
- Approved anaphylaxis management training
- Approved emergency asthma management training (ACECQA, 2020e).

Conditions of licence for family day care providers

The licensee (care provider) of a home based child care service must permit an authorised officer:

- To enter, during the normal business hours during which the service is provided, any part of the home of the licensee.
- To inspect any child care record kept at the home.
- To take and copy any child care record kept at the home (NSW Government 2020c).

Notice of changes relating to carer's home

The licensee (care provider) of a home based child care service must provide written notice to the Director-General of any proposed structural alteration to, or demolition of, any building or other structure at his or her home: at least 6 weeks before the alteration or demolition commences, or

before the consent or approval of any public or local authority is sought for the alteration or demolition, whichever is earlier. If a service ceases to operate, the licensee of the service must give the Director-General notice in writing that the service has ceased to operate within 7 days of the cessation of the service.

Family day care ratios

Provider approval authorises the approved family day care provider to operate an approved education and care service and an associated children's service if the approved provider is the holder of the service approval for those services. The following ratios apply.

- 1:7 educators to child ratio
- A maximum of four children preschool age or under
- Ratio includes the educator's own children younger than 13 years of age if there is no other adult to care for them.

Legislation and regulation in New South Wales Australia

In the State of New South Wales childminder/childcare is governed by *The Children (Education in Care Services National Law Application) Act 2010*, the Quality Standards, *The Children (Education and Care Services) Supplementary Provisions Act, 2011* and the legislation governing mobile services and occasional care services is covered under *The Children (Education and Care Services) Supplementary Provisions Act 2011* (New South Wales Government, 2011) and *The Children (Education and Care Services) Supplementary Provisions Regulation 2019* (New South Wales Legislation, 2019a). Most education and care services for children around Australia are regulated under the National Quality Framework (NQF).

The National Quality Framework (NQF) is the result of an agreement between all Australian governments to work together to provide better educational and developmental outcomes for children. The Framework includes the Education and Care Services National Law; Children (Education and Care Services National Law Application) Act 2010 and Regulations under that Law it also includes the National Quality Standard (NQS) which sets a national benchmark for early childhood education and care and outside school hours care services in Australia. The NQS includes seven quality areas that are important outcomes for children and services are assessed and rated by the regulatory authority against the NQS, and given a rating for each of the seven quality areas and an overall rating based on these results (ACECQA, 2018a; 2018d).

Regulation of family day care in New South Wales Australia

The Early Childhood Education Directorate (ECED) has regulatory responsibility to raise quality and drive continuous improvement and consistency in New South Wales (NSW) early education and care services. The NSW Department of Education is the Regulatory Authority in NSW responsible for regulating early childhood education and care services in NSW (New South Wales Government; Regulatory Framework, 2020a). The regulatory responsibility includes monitoring, assessment and rating and the provision of regular feedback, review, and enforcement of compliance (New South Wales Government; Regulatory Framework, 2020b). It also includes the approvals processes for all services and providers (New South Wales Government; Regulatory Framework, 2020c).

The aim of the NSW regulatory process is to:

- Raise quality and drive continuous improvement and consistency in NSW early education and care services.
- Ensure the safety, health and wellbeing of children attending education and care services.
- Improve the educational and developmental outcomes for children attending education and care services.

The regulations that govern early childhood education services in NSW are service type specific. The NSW Department of Education administers the regulation of services in accordance with;

- The National Quality Framework (NQF) provides a national approach to regulation, assessment and quality improvement for early childhood education and care across Australia, including Family Day Care services. It includes a National Law and National Regulations, a National Quality Standard, an assessment and quality rating process, and national learning frameworks. (ACECQA, 2020a, 2020b)
- The National Quality Standards (Australian Childrens Education and Care Quality Authority (2018a). The National Quality Standard (NQS) sets a high national benchmark for early childhood education and care and outside school hours care services in Australia. The NQS includes 7 quality areas that are important outcomes for children. Services are assessed and rated by their regulatory authority against the NQS, and given a rating for each of the 7 quality areas and an overall rating based on these results

- The National Law and National Regulations which outline the legal obligations of approved providers, nominated supervisors, and educators and explain the powers and functions of the state and territory regulatory authorities and ACECQA
- The Children (Education and Care Services) Supplementary Provisions Act 2011 (New South Wales Government, 2011)
- The Children (Education and Care Services) Supplementary Provisions Regulation 2019 (New South Wales Government (2019a)

Inspection of home and records of licensee of home based child care service

The licensee of a home based child care service must permit an authorised officer:

- To enter, during the normal business hours during which the service is provided, any part of the home of the licensee
- To inspect any child care record kept at the home
- To take and copy any child care record kept at the home.

Quality Assurance (ACECQA, 2020d)

The approved provider of an education and care service must ensure that, within 3 months of the grant of the service approval, a quality improvement plan is prepared for the service under the following areas, educational programme and practice, children's health and safety, physical environment, staffing arrangements, relationships with children, collaborative partnerships with families and communities, governance and leadership.

- The quality improvement must include an assessment by the provider of the quality of the practices of the service against the National Quality Standard and the Regulations
- The provider identifies any areas that he/she considers may require improvement.
- The quality improvement plan contains a statement of the philosophy of the service
- The approved provider must submit the quality improvement plan to the Regulatory Authority on request.

Assessment and rating of new education and care services (ACECQA 2020f)

On being granted a service approval, an education and care service is rated as Provisional-Not Yet Assessed under the National Quality Framework.

Assessment and rating of existing education and care services

Self-assessment and quality improvement (on-going):

Approved providers self-assess the quality of the current practices against the National Quality Standard and regulatory requirements.

Notice of start of assessment and rating process

(Week 1)

The Regulatory Authority provides written notice to an approved provider that the assessment and rating process has commenced.

Quality Improvement Plan

(Week 3-4)

The quality improvement plan which aims to improve quality and to help providers self-assess their performance in delivering quality education and care, and to plan future improvements is submitted to the regulatory authority prior to their visit, along with any additional information requested by the regulatory authority. The aim of a Quality Improvement Plan is to help providers self-assess their performance in delivering quality education and care, and to plan future improvements.

Visit

(Week 5 to 8)

The regulatory authority visits the service.

Feedback on draft report

(Weeks 3-5 after the visit)

Regulatory authority provides the approved provider with a draft assessment and rating report. The provider can give feedback on any factual inaccuracies in the report and evidence to support feedback.

Final report and notice of final ratings issued to provider

Feedback is considered before the final report is finalised and issued. Approved provider`s may choose to apply for a review of final ratings within the set review period, this means that an approved provider may apply to the regulatory authority to have a service reassessed and re-rated against the National Quality Standard (NQS).

Ratings published

Once the review period has ended, the final ratings are published on the national registers. The national registers contain information about approved education and care services and providers. These registers are updated daily from data held in the National Quality Agenda IT System (ACECQA, 2020e).

Rating levels

For the purposes of section 134(1) of the Law, the prescribed rating levels are—

- Significant Improvement Required
- Working Towards National Quality Standard
- Meeting National Quality Standard
- Exceeding National Quality Standard (the second highest rating level); The second highest rating level is referred to in section 152(5) of the Law
- Excellent rating (the highest rating level). The criteria for an excellent rating are determined by the National Authority.

Offences in relation to giving false or misleading statements about ratings

The penalty if an approved provider of an education and care service falsely represents the overall rating or a rating in respect of a quality area stated in the National Quality Standard given to the service under the Law is \$2000 (ACECQA, 2020a).

Enforcement of Infringement Offences

The following are an example of offences against the regulations which are prescribed for the purposes of section 291 of the Law. Financial penalties apply for infringement of these offences. The penalties are outlined in the regulation. Penalties range between \$1000 and \$2000 Australian dollars per offence.

Regulation 77(1), (2) and (3) (health, hygiene and safe food practices);

Regulation 80(1) (weekly menu);
Regulation 83(1), (2) and (3) (use of alcohol or drugs);
Regulation 86 (notification of incidents);
Regulation 88(1) (infectious diseases);
Regulation 89(1) and (2) (first aid kits);
Regulation 97(4) (display of emergency and evacuation plan);
Regulation 98 (telephone or communication equipment);
Regulation 104(1) (fencing);
Regulation 112(3) (nappy change facilities);
Regulation 177(2) and (3) (enrolment and other documents to be kept by approved provider);
Regulation 178(2) and (3) (enrolment and other documents to be kept by family day care educator) (New South Wales Government, 2019a).

The following is an example of how the penalties and fines are presented in the 2019 Regulations;

A nominated supervisor of an education and care service must implement, and ensure that all staff members of, and volunteers at, the service implement—

(a) adequate health and hygiene practices; and

(b) safe practices for handling, preparing and storing food—

to minimise risks to children being educated and cared for by the service.

Penalty: \$2000. (New South Wales Government, 2019a)

The National Quality Standard Assessment and Rating Instrument (ACECQA, 2018e) and the New South Wales Government (2020d) Compliance Policy Early Childhood Education and Care Quality Assessment and Regulation together with the 2019 Regulations provide further information.

Conclusion

Based on the detail outlined above;

Definition:	Family day-care (childminders) in South Australia are registered with an approved family day care scheme
Place:	Childminders take care of children in the providers own home, unless there are extenuating circumstances
Ratio:	The licensee may not care for any more than seven children under the age of 12 years, four of whom have not started school; this includes their own children under the age of 13 years
Age Range for Early Years:	A child of preschool age or under means a child under the age of seven years who is not a child over preschool age or registered in a school
Inspectorate:	Regulatory Authority for the territory. The Early Childhood Education Directorate (ECED) has regulatory responsibility to raise quality and drive continuous improvement and consistency in NSW
Regulations:	The Children (Education and Care Services) Supplementary Provisions Act 2011 (New South Wales Government, 2011) and the Children (Education and Care Services) Supplementary Provisions Regulation, 2019 (New South Wales Legislation, 2019)
Home- based:	A home based child care service means a child care service that is provided at the home of the licensee of the service for the purpose of educating, minding or caring for one or more children
Childminders:	Must be at least 18 years
Qualifications:	<p>A family day care educator must have, or be actively working towards, at least an approved certificate 111 level education and care qualification. Evidence must be provided to show that the educator has completed:</p> <ul style="list-style-type: none">➤ First aid training➤ Approved anaphylaxis management training➤ Approved asthma management training <p>The educator must hold a working with children card, this card is issued to a person under a working with children law of a participating jurisdiction that permits that person to work with children</p>

Specific to New South Wales

- The registration process is twofold; an application is first made for provider approval, to ascertain if the provider is a fit and proper person.
- Child minders are required to be registered with an approved family day care service scheme. They must participate in regular support and mentoring visits from the scheme provider attend training and maintain currency of their skills and knowledge.
- The applicant for a childminding licence must advertise a notice within 10 days of making an application to register in a daily newspaper which is circulated generally throughout the jurisdiction.
- Childminders must display their licence publically.
- The philosophy of the service must be identified and how culturally appropriate the programs are for the children accessing must also be highlighted.
- When child minders register they must engage with the National Quality Framework and implement a quality improvement plan by conducting on going self-assessments on the quality of their service.
- The process for assessment of quality against the regulations starts with self-evaluation, evidence is forwarded to the inspectorate, and inspection visits are carried out over a 5-8 week period.
- Reports are rated under 5 levels

Rating of the report:

- Significant Improvement Required;
- Working towards National Quality Standard;
- Meeting National Quality Standard;
- Exceeding National Quality Standard (the second highest rating level); The second highest rating level is referred to in section 152(5) of the Law.
- Excellent rating (the highest rating level). The criteria for an excellent rating are determined by the National Authority.

Penalties:

Penalties for breach of regulations are written into the regulations and applied based on the inspection report. These are also identified on the inspection report.

Childminding Regulation, Registration and Inspection in Scotland

The national care standards early education and childcare up to the age of 16 (The Scottish Government, 2005) outline the criteria for services for children and young people up to the age of 16 years which are regulated under the Regulation of Care (Scotland) Act 2001 ('the Act'). The standards apply equally to services operating in the public, private and voluntary sectors, and in domestic or non-domestic premises which provide services for over two hours a day and for six days or more each year.

The Regulation of Care (Scotland) Act 2001 ('the Act') set up the Care Commission, the Care Commission, registers and inspects all the services regulated under the Act, taking account of the national care standards issued by Scottish Ministers (Legislation.Gov.UK, 2001). Childminding, like many other care services, is regulated by the Care Inspectorate which has powers set out in an Act of the Scottish Parliament: The Public Services Reform (Scotland) Act 2010 (Legislation.Gov.UK, 2010).

The Care Inspectorate

The Care Inspectorate regulates a range of care services; it is responsible for the scrutiny of children's services as set out in the Public Services Reform (Scotland) Act 2010. The Care Inspectorate's regulatory and scrutiny functions ensure that:

- Vulnerable people are safe
- The quality of these services improves
- People know the standards they have a right to expect
- They can report publicly on the quality of these services across Scotland
- They can support and encourage the development of better ways of delivering these services
- In discharging its regulatory and scrutiny functions, the Care Inspectorate works in partnership
- The Care Commission assesses applications from people who want to provide early education and childcare services. It inspects the services to make sure that they are meeting the regulations and taking into account the national care standards. All childminding services in Scotland must be registered with the Care Inspectorate.

Definition of a childminder

The provider of a childminding service is a person that looks after at least one child (up to the age of 16 years) for more than a total of two hours per day. The childminder is paid to look after the child or children in domestic premises (usually the childminders own home). A person who looks after a child in the home of the child's parent(s) is not providing a childminding service equally a parent; relative or foster carer who is caring for a child is not providing a childminding service (Legislation.Gov.UK, 2010).

Registration

Registration as a childminder in Scotland can be made online or in hard copy to; The Care Inspectorate together with the registration fee which for child minding is £28, there is also an annual continuation fee of £17 (Care Inspectorate, 2015). The application form requires details of the proposed childminder, employment history, qualifications, names of two referees, if the individual has been employed by one employer for longer than three months in the last five years, one of the references must be from that employer. The applicant must also provide details of the proposed service this includes the age range and number of children, insurance details to include insurance proposal or certificate, details of people living in the home. A childminding service may not operate until registration has been granted. The following documentation must be submitted for registration.

- Statement of aims and objectives; the statement of aims and objectives should outline what the childminding service will offer, the programme of activities to include opportunities and experiences for the children
- A recruitment policy
- Programme for staff development, induction and training. If an assistant is employed by the childminder, documentation must be provided to show how the child minder will help the assistant to understand how the service operates, develop their skills and attend training relevant to childminding
- Plans of the premises
- Fire safety risk assessment; Childminding applicants are required to carry out a fire safety risk assessment of their homes and prepare an emergency escape plan. The Care Inspectorate forwards a copy of *Fire Precautions in Domestic Childminding Premises – A Guide for Childminders* (Care Inspectorate, 2012) on receipt of an application or on request

- If providing a food service, the childminder must register with the local authority environmental health department as a food business operator, evidence of this must be provided
- The building to be used for childminding must comply with planning permission, landlord agreements, evidence of lease terms and or title deeds restrictions are required. The childminders home must be of sound construction, kept in a good state of repair and have adequate and suitable ventilation, heating and lighting. Individuals making an application for registration must undertake and provide evidence of a premises risk assessment. Other areas which must be taken into consideration for registration are the amount of space for the number of children and adults, the facilities and equipment available and access to a garden or play area
- If vehicles are used to transport children evidence of compliance with road safety requirements are required.

Registration Process

On receipt of registration application and fee, the National Registration Team collates the data and assesses the fitness of the applicant(s). The Care Inspectorate carry out background checks including a check with Disclosure Scotland on those intending to operate a care service. Once the data has been finalised the application is allocated to an inspector to process. After registration is granted, the Care Inspectorate sends a certificate of registration, (electronically), detailing the conditions of registration. The childminder is required to print the certificate and display it so that anyone who uses the service can read it. Registration is based on the decision of the Care Inspectorate to;

- grant the application unconditionally
- grant the application subject to conditions
- Refuse the application.

The Care Inspectorate inspect every registered childminder in Scotland to monitor the quality of care, confirm good practice, protect the children, identify poor practice and make sure it improves. The Care Inspectorate provide information about the quality of care to the public, they inspect the childminding service to assess the quality of the service against a series of quality themes.

- Quality of Care and Support
- Quality of Environment

- Quality of Staffing
- Inspection reports are published on the Care Inspectorate website.

Legislation

The Care Inspectorate regulates childminding services according to The Social Care and Social Work Improvement Scotland (Requirements for Care Service) Regulations 2011 and the Public Services Reform (Scotland) Act 2010. The role of the Care Inspectorate in the inspection of childminding services is to assess the quality of services to ensure it meets the National Care Standards which are published by the Scottish Government (The National Care Standards, 2005) and; The Social Care and Social Work Improvement Scotland (Requirements for Care Service) Regulations 2011 (Legislation.Gov.UK, 2011).

Types of childminding (Care Inspectorate 2012a)

An individual may operate a childminding service alone. In this situation the individual is solely responsible for the care of the children. The individual is the provider and the manager of the childminding service and is self-employed. Equally an individual childminder can employ an assistant. Childminders are responsible for recruiting and managing the assistants they employ. In Scotland childminding services that are separately registered may work together in the home of one of the registered childminding providers. In this case each individual would be registered separately and inspected separately. Alternatively, two or more people working together in a partnership may offer a child minding service and the partners agree who the named manager for the child minding service will be.

Numbers of children

The National Care Standards confirm that, the following ratios apply in a childminding service. The ratio for children less than 12 years old where there are no more than three children who are not yet attending primary school and where there is no more than one child under one year old is, 1:6. These numbers include the childminder's own children whether or not the children are present. If for example a child of the family is at nursery or school or with a relative they are still counted in the numbers.

Qualifications

In Scotland there are no formal qualifications required to be a child minder. However, the Scottish childminding association suggest that the Care Inspectorate expect new childminders to complete a childminding induction learning programme before they become fully registered as a

childminder. The Childminding Induction Learning Course provided by the Scottish ChildMinding Association (SCMA) is part of the Childminding Induction Support Programme. The programme is presented in nine modules, delivered across three interactive sessions or online via an easy-to-use e-Learning platform. The programme allows child minders to work at a time and pace that is suitable for them (Scottish Childminding Association).

The Scottish Childminding Association (SCMA) confirms that childminders are responsible for keeping their continuous professional learning (CPL) up-to-date and for continually building on CPL. Childminders in Scotland delivering funded early learning and childcare must follow the national standard and allocate 12 hours per year to their continuous professional learning. In Scotland all three and four year-olds and eligible two year olds are entitled to 1140 hours of funded early learning and childcare. Childminders can deliver the funded childcare hours, either in full or as part of a “blended care” approach in combination with another ELC approved setting, such as a nursery.

The inspection (Care Inspectorate, 2012b)

At least four weeks before the inspection The Care Inspectorate sends an email, asking the child minder to complete a self-assessment form on line. The self-assessment is important as it lets the care inspectorate understand how the childminder sees their service and provides an opportunity to share plans. A parent questionnaire is also forwarded to circulate to parents using the service to return to the Inspectorate. The inspectorate uses this parent information to inform the inspection and they may also contact the parents directly. Inspections are usually unannounced, however with child minders the Inspectorate may phone the child minder a week or so ahead to check dates that they will be minding children. Childminders in Scotland are inspected on three Quality Themes:

- Quality of care and support
- Quality of environment
- Quality of staffing and management and leadership.

On the day of inspection, the inspector observes how the childminder works with the children and speaks to the children about their day, their likes and dislikes and other topics. The inspector checks if the child minder is compliant with the conditions on their Registration Certificate. The rooms of the home used for childminding, including the garden are checked. The range of activities available to the children and opportunities for play both inside and out are discussed.

Child records are inspected. Childminders are expected to have records for each child, their contact details, attendance, any health issues, their likes and dislikes and daily routines. Information on children's care needs must be updated every six months. The childminders policies and procedures are checked.

At the end of the inspection visit the Inspector gives feed back to the childminder outlining the grades to expect and why. Grade levels of 1-6 are in place which outlines the quality of the provision. Child minders in Scotland receive higher grades with 94% of childminders achieving grades 4-6 in the ELC Statistics 2015 report, published by the Care Inspectorate in 2016 (Scottish Childminding Association, 2020). Following inspection an email is sent to the childminder to view the draft inspection report on an eForm system for factual accuracy, using the error response document. If the inspector requires details of how identified issues will be addressed the childminder returns these as an action plan. The report is finalised and published on the Care Inspectorate web site. Child minders are expected to share their reports with parents.

Enforcement (Care Inspectorate, 2012)

If the Care Inspectorate finds that a service is not good enough or is not complying with the Regulations, they have several options depending on the seriousness of the situation, these include;

- Discuss the situation with the childminder to try to resolve it.
- Re grade the service
- Impose, add, vary or remove a condition on the registration of the service
- The Care Inspectorate may serve an improvement notice which gives the provider a specified amount of time to improve the situation
- If improvements are not made, the Care Inspectorate may take steps to cancel the registration.

The provider may write to the Care Inspectorate to appeal any decision to cancel registration. However, in an emergency the Care Inspectorate can take urgent steps to cancel registration or to impose, vary or remove a condition on the registration of the service. This course of action occurs if there is a serious risk to a person's life, health or wellbeing. The Care Inspectorate advises the local authority where the service operates about any enforcement action that the Care Inspectorate carry out in a childcare service in the local authority area.

Conclusion

Based on the detail outlined above; all childminding services in Scotland must be registered with the Care Inspectorate.

Childminders in Scotland may be:	<p>(a) An individual childminder</p> <p>(b) Child-minding services that are separately registered who work together in the home of one of the registered childminding providers where both are registered separately and inspected separately</p> <p>(c) Two or more people working together are a partnership one person is the registered childminder</p>
Time:	More than a total of two hours per day
Place:	Childminders own home
Ratio:	1:6 for children under 12, of whom no more than three are not yet attending primary school and of whom no more than one is under 1
Age Range:	under 12
Inspectorate:	The Care Inspectorate regulates a range of care services; it is responsible for the scrutiny of children's services as set out in the Public Services Reform (Scotland) Act 2010
Inspection under Regulations:	<p>The Regulation of Care (Scotland) Act 2001. Registration is made online or hard copy. The registration decision is to;</p> <ol style="list-style-type: none"> 1. Grant the application unconditionally 2. Grant the application subject to conditions 3. Refuse the application
Qualifications:	<p>In Scotland no formal qualifications are required to be a child minder. The Scottish childminding association expect new childminders to complete a childminding induction learning programme before they become fully registered as a childminder.</p> <p>The Childminding Induction Learning Course is presented in nine modules, delivered across three interactive sessions or online via an easy-to-use e-Learning platform. The programme allows childminders to work at a time and pace that suits them. Childminders in Scotland delivering funded Early Learning and Childcare (ELC) must follow the National Standard and allocate 12 hours per year to their Continuous Professional Learning.</p>

Specific to the Scotland

All childminding services in Scotland must be registered with the Care Inspectorate. There are three different types of childminders, single, childminding service, partnership. All childminders are required to print and display their registration including conditions.

Childminders in Scotland inspected under, three themes:

- The quality of care and support
- The quality of the environment
- The quality of staffing, management and leadership

Process of inspection

Four weeks before inspection the childminder is invited to conduct a self-assessment. A parent questionnaire is circulated and returned to the inspectorate. Inspections are usually unannounced, but with childminders they may receive a phone call to ensure they are working on the day of inspection. The inspection includes checking documentation, observation and conversation with the provider the children and if applicable the parents.

Enforcement

The service may be re graded based on the outcome of the inspection. Conditions may be imposed or removed, registration may be cancelled. The Care Inspectorate may apply emergency cancellation of registration as required. The local authority is informed of any enforcement action undertaken by the Care Inspectorate.

Childminding: Regulation Registration and Inspection in Boston

The Office of Childcare Services, Department of Early Education and Care (EEC) Boston Massachusetts (MA), state in relation to licensing of an early years service that; *'No person shall operate or purport to operate a programmes licensable by the Office of Child Care Services without a license or approval issued by the Office'*.

Overview of Family Child Care

Family Child Care sometimes referred to as "home day care" in Boston, is child care provided in someone's home where the caretaker is not related to the children. In Boston Family Child Care programmes are described as small in size and have no more than 10 children. A Family Child Care provider can care for up to eight children (if two children are school age) in their home single handedly depending on the ages of the children.

If a Family Child Care provider works with an EEC-approved assistant, they can care for up to 10 children under the age of 14 in their home. Children in a family child care home may range in age from infant through school age and programmes may serve between a maximum of six or ten children (with an additional assistant). The current license for all of the programmes being provided by the carer must be posted in a prominent location. Some Family Child Care Providers are part of a Family Child Care System, which may provide additional supports to providers and families.

Licensing of Family Child Care Programmes

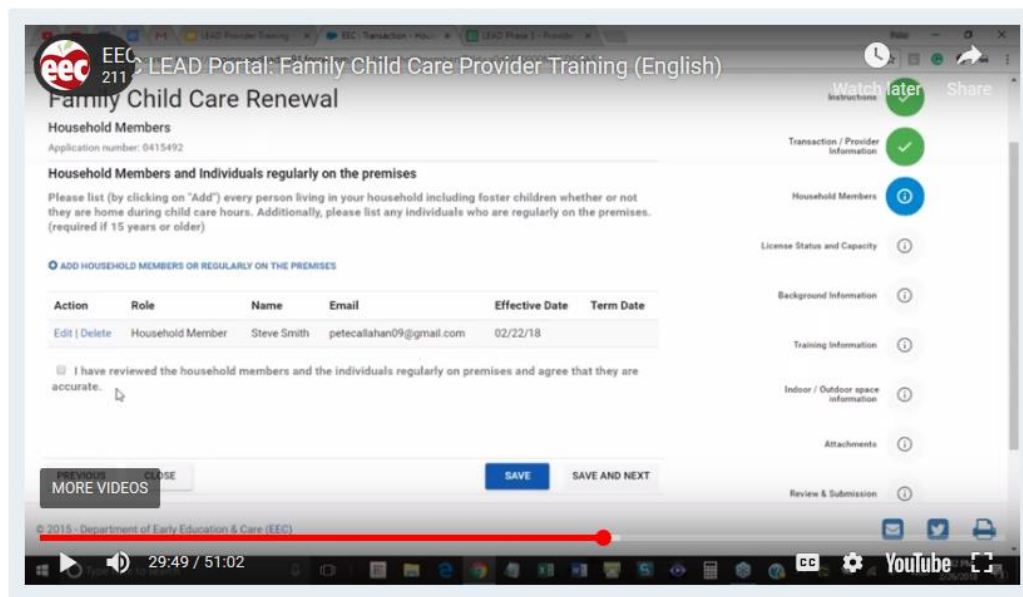
There are three types of licensed Family Child Care programmes in Boston this include care for:

- Up to 6 children: A licensed Family Child Care provider may enrol up to 6 children in their programme if the children are within the required age limits.
- Up to 8 children: A licensed Family Child Care provider may enrol up to 8 children in their programme without an assistant if at least 2 of the children are school age and if the other children are within the required age limits
- Up to 10 children: A licensed Family Child Care provider may enrol up to 10 children in their programme if there is an approved assistant working with them, and if the children are within the required age limits (Mass.Gov, 2020).

Licensing Education Analytic Database (LEAD)

The Department of Early Education and Care (EEC) developed the Licensing Education Analytic Database (LEAD), which is a cloud-based system for all licensing functions. Licensed programs and licensing applicants use LEAD to process all licensing-related transactions. This includes:

- Applying for a new programme license or applying to renew a programme license
- Viewing and submitting responses to statements of non-compliance
- Filing quarterly restraint reports (for residential programmes and adoption/foster care replacement agencies)
- Filing incident reports and filing illness/injury reports (available to licensed group and school age child care programmes) (Mass.gov, 2020b).



Renewal

Any person seeking to renew a license or approval must file a written application for the renewal with the Office on forms provided by the Office not less than 30 days prior to the date of expiration of the current license or approval. If a renewal application is filed, a license or approval, or provisional license or approval, remains in effect until a determination is made by the Office on the status of the license.

Transfer of License

A license is not transferable from one licensee to another; from one programme or facility to another; or from one owner to another.

Posting of License

The provider must post conspicuously any license issued by the Office (Mass.gov, 2016).

Family Child Care assistants (Mass.gov 2020d)

The Department of Early Education and Care Massachusetts Government approves or certifies Family Child Care Assistants to work in licensed Family Child Care homes.

There are two types of Family Child Care Assistants:

Regular Family Child Care assistant

Regular Family Child Care Assistants provide care under the supervision of a licensed Family Child Care provider or certified Family Child Care assistant. Regular Family Child Care Assistants can care for the children alone for a limited period of time if they are First Aid and CPR certified.

Certified Family Child Care assistant

Certified Family Child Care Assistants must meet the qualifications of a licensed Family Child Care provider. Certified Family Child Care Assistants can provide care under the supervision of a licensed Family Child Care provider or if certified at the same level as the licensed Family Child Care provider may care for children in that provider's absence for any length of time.

Qualification Requirements

A licensed Family Child Care provider or a Certified Family Child Care Assistant must:

- Be at least 18 years old
- Have cared for children full time or been a parent for at least a year (or have a combination experience and training) or be qualified as a teacher or site coordinator
- Have a background with no adverse conduct, verified by an EEC background record check
- Submit medical evidence that she/he is healthy and able to care for children (Mass.gov, 2017)

- Be trained in First Aid and Cardiopulmonary Resuscitation (CPR) training. The family childcare provider or the certified family child care assistant must maintain a current certification in First Aid, and must renew her /his CPR certification annually
- Have the ability to implement the provider's curriculum, activities and routines
- Keep a record of all licensed child care homes where they have cared for children
- Complete all required training.

The following Family Child Care orientation training programmes (must have been completed in person no earlier than a year prior to application):

- Safe sleep practices for infants' (online training)
- Medication Administration (online training)
- Transportation Safety (online training)
- Nutrition and Choking Hazards training.

As of July 2019, all Program Staff, including family child care, are required to be trained in the following EEC Essentials topics if they are in receipt of the *Child Care and Development Fund (CCDF)*. This fund is the primary source of federal funding for child care subsidies for low-income working families and funds are provided to improve early childhood program quality.

1. Child Abuse and Neglect
2. Emergency Response Planning
3. First Aid and Cardiopulmonary Resuscitation (CPR) Overview
4. Food Related Risk and Response
5. Hazardous Materials
6. Infant Safe Sleeping Practices
7. Infectious Diseases and Immunizations
8. Introduction to Child Development
9. Medication Administration
10. Physical Premises Safety
11. Shaken Baby Syndrome
12. Transporting Children.

The First Aid and CPR overview training is not an approved First Aid or CPR Training Course and does not result in First Aid or CPR certification. Family child care licensees and certified assistants cannot care for children without current First Aid and CPR certification, in accordance with EEC policy.

All of the above 12 EEC essentials training modules must be completed prior to licensure and the family child care licensee must maintain a personnel record for each program staff member that contains proof of completion of all the required EEC Essentials trainings, including the Introduction to Child Development training.

Since July 2019, all 12 EEC Essentials training topics are available online on EEC's Learning Management System (LMS). A comprehensive information technology workforce development system (Strong Start Online Professional Development System) has been developed with an integrated professional registry and credentialing system so that all educators have the ability to learn core content knowledge in multiple ways, track their progress, and develop the core competencies and skills needed to support children's early learning in a safe environment that leads to positive child outcomes and increased program quality. All educators are required to log-in to the online LMS and register their personal account. Completion of the EEC Essentials trainings via EEC's LMS counts toward the required professional development training hours.

As of October 1, 2019, EEC licensing staff has been monitoring to ensure that the EEC essentials training requirements have been completed. A program's failure to ensure that each Program Staff member/assistant working directly with children and counting in the program's staff-child ration has completed the above trainings results in a number of measures being applied.

The licensed Family Child Care provider and Certified Family Child Care Assistant certificate is valid for 3 years.

Applying for a Family Child Care license

Individuals must attend;

- A mandatory Potential Provider Meeting at one of the EEC Regional Offices. At this meeting, EEC licensing staff, inform the individual of the requirements to become licensed
- Attend in person a Child Care Orientation Training given by an agency in the Commonwealth of Massachusetts

Fees for Apply for a Family Child Care provider license

Name	Fee	Unit
Family Child Care License	\$100	each
Family Child Care License Renewal	\$100	each
Certified Family Child Care License Assistant Application	\$75	each
Family Child Care License Upgrade (within license or certificate period)	\$25	each
Family Child Care License Change of Address	\$100	each

Application for licence as a Family Day-care Provider

The application for licence as a Family Day-care Provider is an online process. The following are required as part of the application process:

- A check or money order made out to the Commonwealth of Massachusetts for the application fee
- A copy of the certificate of attendance from the Potential Provider meeting
- A copy of the certificate of attendance from the in-person Orientation Training
- A completed background record check request form for the provider and any household members 15 years or older
- A copy of a current certification for First Aid and Child & Infant CPR
- A copy of the childminders Physical Exam from the past year that includes proof of immunity to Measles, Mumps, & Rubella
- Proof of completion of all of the required training available on line (Mass.gov, 2019).
- Documentation of registering in EEC's Professional Qualifications Registry (PQR) (Mass.gov, 2020e).

Once EEC receives the online licensing transaction, they contact the provider to go over the application and schedule a Pre-Licensing visit to the program.

Visits to Determine Compliance (Mass.gov, 2016)

Any employee of the EEC Mass. Gov. Office, (The Office) may, at any reasonable time, visit and inspect any facility or programme operated by a person who is subject to licensure or approval by the Office in order to determine whether such facility or programme is being operated in compliance with the law and with any regulations governing such programmes.

Any employee of the Office authorised by the Commissioner may make oral and written inquiries to determine whether a programme or facility is being operated in compliance with designated regulations or complaint investigations. An employee of the Office, authorized by the Commissioner may visit and inspect any facility or programme upon receipt of a complaint and allegations regarding compliance with any regulations governing such programmes.

Inspection visits are conducted at any reasonable time in order to determine whether any child is in jeopardy and/or whether such facility or programme is being operated in accordance with any Office of Childcare Services (OCCS) regulations governing the programmes. A person authorized by the Director may be accompanied by an employee of any department, agency or institution of the Commonwealth during the Office's investigation process if required where the Office and the department, agency or institution of the Commonwealth has agreed to conduct joint investigations.

Availability of Information

The applicant or licensee must make available any information requested by the Office to determine compliance with any Office regulations governing such programmes, by providing access to his/her facilities, records, staff and references. The provider, approved assistant, household members, and other persons who are regularly on the premises, and any staff members must provide the Office with all information required by any regulations governing such programmes.

Visit Reports

If the Office finds upon inspection or through information in its possession that a programme or facility is not in compliance with any applicable licensing provisions of 102 CMR, (Mass.gov, 2016) the Office informs the licensee in a written visit report. The report includes detail of the observations made and the regulation(s) which the licensee has violated. The office may request

a plan for compliance from the licensee to be submitted within a reasonable time as determined by the Office, but in no case longer than 30 days.

Enforcement and Compliance with Regulations

Deficiency Correction Orders

If the Office finds upon inspection or through information in its possession that a programme or facility is not in compliance with the regulations, the Office may order the licensee to correct any non-compliances as specified, in a deficiency correction order. The deficiency correction order includes a statement of observations and indicates which regulation(s) the licensee has violated. The order may prescribe the method(s) of compliance with the regulations; and, the order prescribes the time period(s) for correction, which shall be reasonable, depending on the nature of the non-compliances cited and the time required for corrections.

Factors which are considered by the Office before imposing any sanction or fine

- a) Any non-compliance at the facility or programme
- b) The risk the non-compliances present to the health, safety, and welfare of children
- c) The nature, scope, severity, degree, number, and frequency of the non-compliances
- d) The licensee's failure to correct the non-compliances
- e) Any previous non-compliance
- f) Any previous enforcement action(s).

Sanctions and Fine

If the Office finds upon inspection or through information in its possession that a person operating a programme or facility is not in compliance with any Office of Child Care Services regulations governing such programme, the Office may, in a notice of sanction, impose one or more sanctions which may include but need not be limited to:

1. Ceasing the enrolment of new children
2. Reducing the number of children, a programme or component of a programme is licensed to take
3. Hiring of a consultant(s) to provide technical assistance and/or training
4. Hiring of additional staff on a temporary or permanent basis; requiring the licensee to fund a mentor selected by and accountable to the Office

5. Restricting an administrator's and/or staff person's access to children.

The Office may levy a civil fine if it finds that an applicant or licensee has failed to comply with any plan for compliance or deficiency correction order issued by the Office. The fine may be levied where the plan or order included a statement notifying the licensee that failure to comply with all or part of the order may result in a civil fine levied in accordance with any OCCS regulations governing such programmes. Fines range from \$50 to \$250 for family day care, group day care, or school age child care programmes. Failure to comply with more than one order issued by the Office may result in the assessment of more than one fine (Mass.gov, 2016).

Probation, suspend, refuse to renew, revoke, or refuse to issue a license or approval

If on inspection the office finds any of the following:

- The applicant or licensee failed to comply with any applicable regulation, or any deficiency correction order, notice of sanction, suspension, agreement or terms of probation
- The applicant or licensee failed to pay a fine after either failing to appeal the assessment of a fine within the prescribed time or after a hearing where assessment of a fine was upheld
- The applicant or licensee submitted any misleading or false statement or report required under 102 CMR 1.00 through 8.00 et seq.(Mass.gov, 2016)
- The applicant or licensee refused to submit any report or make available any records required under 102 CMR 1.00 through 8.00 et seq
- The applicant or licensee refused to admit, at a reasonable time, any employee of the Office authorised by the Commissioner to investigate or inspect, in accordance with 102 CMR 1.00
- The applicant or licensee failed to obtain a license prior to opening a programme or facility or prior to changing the location of a programme or facility.

The revocation, refusal to renew or suspension of the licence may occur.

Revocation, Refusal to renew, suspension

Upon revocation, refusal to renew, or suspension the licensee must;

Immediately return the license or approval to the Office and cease providing services.

An applicant or licensee will not qualify for a license or approval from the Office for five years after a final agency decision to revoke or refuse to issue or renew a license or approval held by the applicant or licensee pursuant to licensing law.

An applicant or licensee will be eligible only if he/she can demonstrate a significant change in circumstances.

The Office of Child Care Services may, at its sole discretion, entertain an application for approval or licensure prior to the expiration of five years, if it determines that a significant change in circumstances has occurred, such exercise of its discretion cannot be appealable.

Follow-up to Enforcement Action

Upon the expiration of the time frame(s) prescribed in a plan for compliance, deficiency correction order, or notice of sanction, a duly authorised employee of the Office of Child Care Services determines compliance with the plan, visits the facility or program, reviews documents, and/or verifies compliance through whatever method is deemed suitable.

Rights to Appeal

Request for Administrative Reconsideration

Within seven days of receipt of a deficiency correction order or notice of a sanction, the licensee may file with the General Counsel a written request for administrative reconsideration. The request is limited to direct and specific reasons why the notice of sanction or any item in the deficiency correction order or any portion thereof should be rescinded or modified, and the approximate time(s) requested by the licensee to take corrective measures if any.

Within 15 business days after receipt of a request for reconsideration, the General Counsel grants, denies, or otherwise acts on the request. Filing a request for administrative reconsideration does not alter the time required for compliance with the notice of sanction or deficiency correction order.

Request for a Formal Hearing

If a licence is revoked, suspended, refused the licensee may request a formal hearing.

Notifications: Notification by the Office

The Office of Child Care Services informs state funding agencies, or any other agency of their intention to impose a sanction upon a licensee or to revoke, suspend, make probationary, or refuse

to renew a license or approval and notify this in writing of any deficiency correction order, sanction, probationary status, suspension, revocation, or refusal to renew. When a corrective action is completed, or if a suspended license or approval is restored, state funding agencies, or any other agency specified by the Office of Child Care Services are informed.

Notification by the Licensee

Every licensee is required to post in a conspicuous place any current license or approval issued by the Office of Child Care Services and any notice of hearing, notice of sanction, order, or decision issued by the Office of Child Care Services that pertains to the programme or the facility. The posting is required to be in an area which is easily viewed by visitors and employees.

The Office of Child Care Services may require that written notice of any deficiency correction order, sanction, probationary status, suspension, revocation or refusal to renew is sent by the licensee to funding agencies, referral sources, and when appropriate, parents and any other agency specified by them, they may also specify the content of the notice.

The Office may require the licensee to obtain a signed acknowledgement of receipt of such notice on a form specified by them. The Office can also request the names, addresses, and telephone numbers of the parents of all children enrolled at the time of the regulatory action and during the previous five years. In Family Day Care cases, the Office can request the names of all providers for whom an approved assistant has worked.

Policies Required

Family Child Care Administration Policies required

- ECCE Transportation Policy
- Sample Transportation Log
- Freezing or Reducing Enrollment Policy
- Visitors to the Family Child Care Home Policy
- Informal Cooperative Arrangement and Occasional Care policy
- Complaints, Referrals, Notification and Corrective Action policy

Family Child Care Personnel and Training Policies required

- First Aid and CPR Approval Policy

- Orientation to Early Education and Care Policy
- Professional Development Policy
- Use of Regular Assistants in Family Child Care Homes Policy
- Volunteers, Student Interns and Ratios Policy
- Required Immunizations for Educators Policy.

Family Child Care Supervision and Care Policies required

- Oral Health Policy
- Supervision Policy
- Supervision While Accompanying a Child To and From a Vehicle Policy.

Family Child Care Safety and Emergency Policies/ Procedures required

- Bottle Warming Safety Procedure
- Busy Street Procedure
- Choking Hazard Training Policy
- Cleaning, Sanitising and Disinfecting Procedure
- Emergency Contingency Plans Procedure
- Exits and Evacuations Procedure
- Family Child Care Playground Safety Procedure
- Family Child Care Peeling Paint Policy
- Safe Sleep for Infants Policy/ Procedure
- Carbon Monoxide Alarms Policy
- Water Safety Policy
- Family Child Care Recordkeeping Policies
- Child Care Records for Substitute Providers
- Confidentiality of Family Information Policy
- Children's Record Requirements for Priority Populations Policy.

Family Child Care Recordkeeping Policies required

- Child Care Records for Substitute Providers
- Confidentiality of Family Information
- Children's Record Requirements for Priority Populations.

Conclusion

Based on the detail outlined above;

Childminders in Boston:	No person in Boston is permitted to operate or purport to operate a programme licensable by the Office of Child Care Services without a license or approval issued by the Office of Childcare Services, Department of Early Education and Care Boston. Home day care or childminding is where child care is provided in the home, where the caretaker is not related to the children.
Place:	The childminders own home.
Ratio:	<p>There are three types of licensed Family Child Care programmes:</p> <ol style="list-style-type: none"> 1. Up to six children: A licensed Family Child Care provider may enrol up to six children in their programme if the children are within the required age limits 2. Up to eight children: A licensed Family Child Care provider may enrol up to eight children in their programme without an assistant if at least two of the children are school age, if the other children are within the required age limits 3. Up to 10 children: A licensed Family Child Care provider may enrol up to 10 children in their programme if there is an approved assistant working with them, and if the children are within the required age limits.
Inspectorate:	Office of Childcare Services, Department of Early Education and Care Boston Massachusetts.
Childminders:	Must be over 18 years.
Qualifications:	<p>All childminders are required to have cared for or been a parent for a minimum of one year. He or she must be trained in First Aid and Cardio Pulmonary Resuscitation (CPR) training. The childminder must maintain a current certification in First Aid, and she / he must renew the CPR certification annually.</p> <p>All perspective childminders must attend a mandatory Potential Provider Meeting and attend in person a Child Care Orientation Training given by an agency in the Commonwealth of Massachusetts.</p> <p>Childminders must have completed the following online training no longer than one year prior to commencement</p> <ul style="list-style-type: none"> ➤ Safe sleep practices for infant's online training ➤ Medication administration online training ➤ Transportation safety online training ➤ Nutrition and choking hazards training ➤ First Aid and CPR ➤ Training on reporting suspected child abuse or neglect for mandated reporter.

Specific to Boston

A childminder may employ a family day care assistant. There are two types of family day care assistants, regular day care assistants who work under the supervision of the childminder and a certified family day care assistant who is qualified and can replace the childminder, as required.

- The registration application is online a copy of a physical examination and proof of immunisation against mumps, measles and rubella is required to be submitted
- Childminders must be registered on the EEC professional qualifications Register PQR
- The licence must be posted in a conspicuous place
- There are a number policies and procedures which must be submitted with the application for registration
- The sanctions for breach of the licencing requirements include, cease enrolment, reduce numbers, hire of consultants to provide training or hire extra staff to provide mentoring
- Monetary fines range from \$50 -\$250 per each breach. The service may be put into probation, suspension, or refused issue or retaining of the licence
- State funding agencies are informed of sanctions upon a licence and removal of conditions when corrective action is taken.

Childminding: Regulation Registration and legislation in Finland

National responsibility for centre-based and home-based ECEC provision in Finland for children up to age six years lies with the Ministry of Education and Culture (Opetus- ja kulttuuriministeriö - OKM). The organisation and management of ECEC is the responsibility of the municipalities or of private service owners/providers.

The legal foundations of ECEC are the Early Childhood Education and Care Act (Varhaiskasvatuslaki, 2015), which replaced the Act on Children's Day Care (1973) (Päivähoitolaki, 1973) and the Basic Education Act (Perusopetuslaki, 1998). The term 'early education' (varhaiskasvatus) replaced the term 'day care' (päivähoito). The new Act on Early Childhood Education and Care (540/2018) entered into force on 1 September 2018 (Ministry of Education and Culture, 2018).

The Act on Early Childhood Education and Care (540/2018) lays down provisions on the right of a child to early childhood education and care, the organisation and provision of early childhood education and care and the data repository for early childhood education and care. The Act applies to early childhood education and care arranged or provided by a municipality, joint municipal authority and independent service provider at an early education center or as family daycare (Ministry of Education and Culture, 2020a).

The National Core Curriculum for Early Childhood Education and Care

The Finnish ECEC is based on an integrated approach to care, education and teaching; it is based on the "educare" model, where there is a particular emphasis on pedagogy (Finnish National Agency For Education, 2020a). The Finnish National Agency for Education decides on the core curriculum for early childhood education and care in accordance with the Early Childhood Education and Care Act. The National Core Curriculum for Early Childhood Education and Care is legally binding, and not as previously a recommendation (Schreyer and Oberhuemer, 2017).

The revised National Core Curriculum for Pre-Primary Education (*Esiopetuksen opetussuunnitelman perusteet* 2014) came into effect in 2016. Five key areas of learning are identified: (1) the world of languages, (2) artistic expression, (3) myself and my community, (4) exploring my environment, (5) growing up and developing in motion.

The underlying principles emphasise of the revised curriculum include the child's individuality, the significance of active learning and the importance of acting as a group member. The focus is on play-based and child-initiated learning and a positive outlook on life.

A personal early childhood education plan is drawn up for each child at early education centres and family day-care premises. The plan consists of the objectives and measures to support the child's development, learning and wellbeing, and the need for special support where necessary.

It is a requirement that the child's opinions and wishes must be asked when planning, implementing and assessing early childhood education and care. The child's parents or guardians must also be allowed to take part and have a say in their child's early childhood education (Finnish National Agency for Education, 2020b)

ECEC entitlement

The client fees for municipal early childhood education are determined as a percentage of the family's gross income. The fees vary according to family size, income and care hours required (Schreyer and Oberhuemer, 2017). Since 1996, all children in Finland under compulsory school age have been entitled to a place in ECEC provision. ECEC places are granted to parents who are working or full-time students. Since August 2016, children with parent(s) at home (not employed) are entitled to 20 hours a week in ECEC provision which can be arranged in various ways. In August 2015, enrolment in the pre-primary year became compulsory. Pre-primary classes had been well attended up till then, with 98% of 6-year olds participating. (Schreyer and Oberhuemer, 2017).

Main types of provision

At the end of paid parental leave, usually when the child is 9 or 10 months old, parents can choose whether they wish to enrol their child in a municipal or private ECEC centre, or in municipal or private family day care provision. When a parent decides to stay at home to look after their child a "care" allowance is granted up to the child's third birthday.

Family day care (*perhepäivähoito*)

Family day care in Finland according to Oberhuemer et al (2010) can be arranged either in the carers own home or in rooms shared with other family day carers (*ryhmäperhepäivähoito*) or in the child's home while parents are at work or studying. The majority of family day care providers

are employed by the municipality, however family day care providers may also be self-employed and they are required to be licensed. Private family day carers negotiate their conditions directly with the parents; however both public and private family day carers are entitled to the same social benefits.

Benefits for both public and private family day care providers include paid holidays, parental leave, sick leave, pension rights etc. All family day carers receive regular supervision from the municipalities. The supervisor who may be the day care supervisor or director of a day care centre supports and supervises the care and education provided by the child minder.

Family day care is regulated home-based provision for children from 10 months up to school entry age. It is organised:

- a) By the municipalities, as group family day care.
- b) By private providers, with parents using the care allowance (Schreyer and Oberhuemer, 2017).

Ratio

Each child care group may include a maximum of four children, including the child minder's own under school-aged children. In addition, the group may include one additional child taking part in pre-primary education in the afternoons. In group family day care there can be 2–3 adults and 8–12 children in a group (Eurydice, 2020).

Care hours

In family day care, the care provider's working hours are determined by the children's care hours. The daily care hours are primarily 8–9 hours and these care hours are agreed in detail before the care provision begins.

Backup care

A backup care place is agreed for each child when day care begins. The backup care place can be, for example, a day-care center or group family day-care center.

Family Day Care Provider structures

Early childhood education and care is provided by public and private agencies. There are two options when registering as a day-care provider in Finland; this includes working for a Kunta (Municipality) or as a Private Day-care provider but still register with a Kunta (Municipality). The

municipalities are required to guarantee parents access to ECEC services. If the number of places in publicly-run services is not sufficient, the municipal authorities are entitled to inform parents about places in private provision. Slightly more than one half of 1- to 5-year olds in Finland attend public provision. In 2016, 14.2% of all children attending ECEC services were enrolled in a publicly subsidised privately run setting. In 2015, this proportion was lower (13%), i.e. the proportion of private ECEC providers in Finland is growing according to Schreyer and Oberhuemer (2017).

Private Family Day Care

Private Family Day Care provides day care and early childhood education for small children in the childminder's own home. Each child care group may include a maximum of four children, including the childminder's own under school-aged children. In addition, the group may include one additional child taking part in pre-primary education in the afternoons. Each childminder is supervised by the day care supervisor or the director of a day care centre. The supervisor supports and supervises the care and education provided by the childminder. Private Family Day Care can be applied for directly from the Private Family Day Care provider.

Within the group family day care model, two adults can provide for 8 children. If this number is exceeded, one of the family day carers must have completed post-secondary training (e.g. as a practical nurse) (Oberhuemer et al., 2010).

Group family day care

A group family day-care provider is an employee of the municipality, who has completed the vocational qualification of a family day-care provider, family day-care provider course or some other degree in early childhood education. An individual early childhood education plan is prepared for each child together with the parents. The care provision is guided by the early childhood education plan.

Child group size and number of staff in group family day care

In a group family day-care center, the child group size is 8–12 children and 2–3 care providers work in the group.

Qualifications

Finland issued the Day Care Act in 1973, regulating family day care and legitimising this form of service as equal to other forms of ECEC services. Family childminders became employees of the local authority they now have their own working contract as part of the general working contract

for employees at the municipality. Prior to the act, family childminders worked privately. The act established them as part of the municipal ECEC services and permitted them to participate in service training and common events. Family childminders must also follow the National Curriculum Guidelines for ECEC (Taguma et al, 2012) Family day care givers, who provide care in a domestic setting, must have a vocational qualification in family day care. It is also mandatory for family day care staff to complete in-service training (Taguma et al, 2012).

Process of selecting a home child carer

- When the family wants to have a carer at home, the family looks for and chooses the carer
- The family notifies the selected carer to the day-care center director of the area
- The carer must be aged between 18 and 68. The carer cannot be anyone living in the same household or an au pair (Espoo, 2020)
- The place of residence of the carer must be such that he/she can actually serve as a carer for the family
- The family and carer conclude an employment agreement, which must indicate: the employer and employee, duration of the agreement, daily working hours, amount and payment date of salary, children to be cared for, work tasks and period of notice
- The day-care center director meets with the family/families and the carer as well as approves the person as an employed carer
- It is the day-care center director's task to assess in the meeting the suitability of the future employee for child care work and to monitor that the employment agreement has been concluded. A copy of the employment agreement is appended to the approval form
- The family is in charge of providing orientation for the carer and supervising the carer
- As an employer, the family is entitled to request an extract from the criminal record of the carer and the employee can order it from the Legal Register Centre.

Monitoring – Evaluation (Finnish Education Evaluation Centre, 2019)

Monitoring and evaluation procedures in Finland related to ECEC settings, staff, curriculum implementation and children's progress are regulated in Finland at the local level and financed through the municipal budgets. Following the law reform of 2015, responsibility for the monitoring of ECEC provision was transferred from the National Institute for Health and Welfare to the Finnish National Agency for Education which was prior to 2017 the National Board of Education. Early childhood education and care (ECEC) is part of the Finnish education system and an important stage on the child's path of growing and learning. There are no inspections of

education at any level of education in Finland, sample-based and thematic evaluations form the basis of the national evaluation and quality assurance system. The main objective of these evaluations is to develop education and support learning, to be part of the quality assurance processes for education and to provide data and information for evidence-based planning, policy decisions and performance-based steering locally, regionally and nationally. Information is also used for international reviews.

Education and training providers have a statutory duty to evaluate their own activities and participate in external evaluations. The education provider has to evaluate their own education and its effectiveness as well as to take part in external evaluations. External inspections (staff-child ratios, hygiene and safety aspects, staff qualifications) are rare, and usually only carried out in the case of a complaint. Decisions about self-evaluation and preferred assessment instruments are a matter for the local authorities. The frequency of any evaluation varies from municipality to municipality (Schreyer and Oberhuemer, 2017). External evaluations are mainly carried out by the Finnish Education Evaluation Centre (FINEEC) it operates as a separate unit within the Finnish National Agency for Education. FINEEC carries out evaluations related to education including the operations of education providers from early childhood education to higher education.

The Finnish Education Evaluation Centre (FINEEC) acts as an independent expert organisation in the evaluation of early childhood education, it operates as part of the national early childhood education steering system. FINEEC is tasked with implementing external evaluations of early childhood education in accordance with the evaluation plan and supporting early childhood education providers on issues related to quality management. FINEEC develops the evaluation of early childhood education together with the education providers.

The Finnish Education Evaluation Centre (FINEEC) implemented an evaluation project which examined the curricula for early childhood education (ECEC) it developed instruments supporting the provision and implementation of ECEC as well as the implementation of these curricula in the daily ECEC between 2017-2019 (FINEEC, 2020). The evaluation of early childhood education is a statutory task (Act on Early Childhood Education and Care 36/1973, Section 9(b)). The purpose of the evaluation is to:

- Promote the preconditions for children's well-being, development, and learning
- Ensure the implementation of the law's intention

- Produce information for developing early childhood education locally and to serve as a basis for political decision making
- FINEEC have created a self-assessment system to support the evaluation of early childhood education providers and service providers
- It includes the criteria for the evaluation of early childhood education, quality indicators and a digital evaluation system (FEEC, 2020).

Conclusion

Based on the detail outlined above:

Childminders in Finland:	In Finland the majority of family day care providers are employed by the municipality, however family day care providers may also be self-employed and they require to be licensed
Place:	Family day care in Finland according to Oberhuemer et al (2010) can be arranged either in the carers own home or in rooms shared with other family day carers (<i>ryhmäperhepäivähoito</i>) or in the child's home while parents are at work or studying
Age range:	Family day care is regulated home-based provision for children from 10 months up to school entry age. It is organised: <ul style="list-style-type: none"> a) By the municipalities, as group family day care b) By private providers, with parents using the care allowance, registered with the municipality
Ratio:	A maximum of four children including the child minder's own under school-aged children may be catered for. In addition, the group may include one additional child taking part in pre-primary education in the afternoon. In a group family day-care center, the child group size is 8–12 children and 2–3 care providers work in the group
Inspectorate:	The Finnish Education Evaluation Centre (FINEEC) acts as an independent expert and inspects early learning services
Inspection under:	The evaluation of early childhood education is a statutory task (Act on Early Childhood Education and Care 36/1973, Section 9(b))
Regulations:	The Act on Early Childhood Education and Care (540/2018): The Act on Early Childhood Education and Care lays down provisions on the right of a child to early childhood education and care, organisation and provision of early childhood education and care
Evaluation:	Section 24 of the Act on Early Childhood Education and Care stipulates that the organiser and provider of early childhood education and care must evaluate the early childhood education and care they provide and participate in external evaluations of their operations and that the core results of the evaluation must be made public. External evaluations of early childhood education and care, is a task assigned to FINEEC. National steering and oversight are also carried out by other key parties directing early childhood education and care as indicated by their statutory tasks. The most important of these parties are the Ministry of Education and Culture, the Finnish National Agency for Education, the National Supervisory Authority for Welfare and Health Valvira, and the Regional State Administrative Agencies. The Legislation, Act on Early Childhood Education and Care 540/2018, obliges organisers and service providers to evaluate their

	<p>activities. However, the Act does not specify in detail how the evaluations are to be conducted.</p> <p>Under the new updated legislation (2018), both children and their parents or other guardians must be given opportunities to participate in and influence the planning, implementation and evaluation of the child's early childhood education and care. The legislation also states that key findings must be published; however this is all at the discretion of each individual municipality</p>
Childminders: Private Family Day Care	Private Family Day Care provides day care and early childhood education for small children in the child minder's own home
Childminders: Group family day care	A group family day-care provider is an employee of the municipality, who has completed the vocational qualification of a family day-care provider, family day-care provider course or some other degree in early childhood education
Qualifications:	Family childminders must also follow the National Curriculum Guidelines for ECEC (Taguma et al, 2012) Family daycare givers, who provide care in a domestic setting, must have a vocational qualification in family daycare. It is also mandatory for family day care staff to complete in-service training (Taguma et al, 2012).

Specific to the Finland

Registering as day-care provider has 2 options: Either working for a Kunta (Municipality) or as a Private Day-care provider but still register with a Kunta (Municipality).

Private family day carers negotiate their conditions directly with the parents; however both public and private family day carers are entitled to the same social benefits.

Benefits for both public and private family day care providers include paid holidays, parental leave, sick leave, pension rights etc.

All family day carers receive regular supervision from the municipalities. The supervisor who may be the day care supervisor or director of a day care centre supports and supervises the care and education provided by the child minder.

A backup care place is agreed for each child when day care begins. The backup care place can be, for example, a day-care center or group family day-care center.

Evaluation of early years service provision was legislated for in 2018 and is currently under review. In the evaluation it is hoped will include the voice of the provider, parents and children.

Childminding: Regulation Registration and Inspection in New Zealand

In New Zealand home-based education and care is provided for groups of up to 4 children aged between birth and 6 years in either the educator's home or the child's home. Each educator must belong to a home-based service, which provides support through a coordinator who is a qualified and certificated ECE teacher. Home-based education and care services are provided in New Zealand by home-based care networks, these networks are the foundations for licensed home-based care.

Home-based care in New Zealand is defined in the Education Act 1989 Interpretation 309 as a service that provides 'education or care, for gain or reward, to children who are under the age of six years, or who are six years of age but not enrolled in school, in the children's own home, or the home of the person providing the education or care or any other home nominated by the parents of the children' (New Zealand Legislation, 2020a, 2020b).

Licensed early childhood education (ECE) and care providers are required to comply with the regulatory standards and criteria set out in the Education (Early Childhood Services) Regulations 2008 (New Zealand Legislation, 2020c) and Licensing Criteria for Early Childhood Education and Care Services 2008 (Ministry of Education, 2016a, 2016b). The quality of the education and care provided by the service is reviewed regularly by the Education Review Office (ERO) based on the criteria outlined in the document; *PIKI AKE, KAKE AKE FOR THOSE WHO ASPIRE TO SEEK EXCELLENCE Indicators of quality for early childhood education: what matters most* (Education Review Office, 2020a).

Early education and care services are licensed in accordance with the Education Act 1989 under the Education (Early Childhood Services) Regulations 2008 (New Zealand Legislation, 2020c) which prescribe minimum standards that each licensed service must meet. Licensing criteria are used to assess how the services meet the minimum standards required by the regulations (Education Review Office, 2020a).

Licence

In New Zealand any premises used regularly for the education or care of 3 or more children (not being the children of the person providing the care) under the age of six years must apply to the

Ministry of Education for a licence to provide the service (there are some exceptions like registered schools and children's health camps). Potential early years providers must firstly obtain a centre licence to operate a childcare service at a named premise.

The centre's licence must state:

- Full name of the person who the licence has been issued too
- The premises and centre's name
- The full name of the contact person
- The date of issue
- The licence classification, e.g. full, provisional, etc.
- The expiry date
- Any conditions to comply with and by when to meet the regulations and criteria
- The maximum numbers of children allowed
- That mixed ages of children who can attend or that no under-2s can attend, or that no over-2s can attend
- The opening hours and days
- The type of provision provided, such as all day, sessional or mixed
- Whether the provision is teacher led, parent led or both teacher and parent led during the week but this must be only one kind on any one day

Any additional special conditions imposed by the Secretary of Education: To comply with any other enactment such as;

- To limit numbers or ages of children during all or specified times
- Additional requirements of supervision of children
- Limiting numbers of children using a defined activity space

It must be noted also that the use of volunteer or unpaid educators excludes the service provider from holding a licence as the service provider does not meet the definition of a home-based ECE service under the Education Act 1989 (Ministry of Education, 2016b).

License Types

One of the following classes of licences to operate must be prominently displayed in the centre:

- Full License
- Provisional license: This is where the centre was found or alleged to be non-compliant; the licence specifies the requirements to be complied with and by when
- Suspended license: The centre must cease operation

- Transitional license: The centre is changing service type, e.g. session to all-day
- Probationary license: While a full licence application is, being processed and only if applicant is deemed 'fit and proper' and all requirements are met the centre may operate on a probationary licence
- Temporary relocation license: A temporary relocation license may be issued for up to 10 months.

Every application for a licence to operate a home-based education and care service must be accompanied by the full address of each of the premises to be used for the provision of the service. When there is a change in owner or service provider the new service provider must apply for an amendment to the licence and the new service provider must satisfy the Ministry's Secretary for Education that he or she is a fit and proper person to hold a licence. The Ministry of Education may withdraw or cancel a service's licence if it finds any one or more of the following:

- The service has failed to meet conditions specified in the notice affecting a licence suspension after a reasonable period of time has been given
- In the case of a centre where children have been found to have attended the centre while its licence was suspended
- Where the service provider has been convicted of an offence against the Education Regulations or an offence involving harm to children, violence, or fraud
- Where the service has permanently ceased to operate, or ceased to be an early childhood service
- Where the service is no longer operating from the premises specified in the licence and has not been issued with a temporary relocation licence (Minister of Education, 2016b)

Process for getting a license for a Home-based service

The Premises: Fit For Purpose

It is the responsibility of the licensed home-based service provider to ensure that the premises and facilities used are fit for purpose. The home-based service provider must ensure that the premises can support the provision of different types of indoor and outdoor play and that there are spaces for both quiet activities and areas for children to be physically active. The home-based care environment must cater for children's individual and group learning experiences, their cultural contexts, ages, abilities and interests. The home-based provider must ensure that while

children are on the premises that they can be effectively supervised in both the indoor and outdoor areas.

Service Provider license

The home-based childcare provider must also seek a service provider licence. A service provider licence means that the person(s) who established the centre is 'fit and proper' to operate the childcare service. The service provider must declare that he / she does not have previous convictions involving harm to children, violence, or fraud, that he / she does not have any relevant health issues, outstanding debts, history of bankruptcy or limits on acting as a company director. Caregivers, educators or carers in New Zealand are responsible for the actual care and education of the children their role is to plan for and deliver the programmes to individual children. Caregivers in New Zealand must be 20 years of age or older.

Home-based childcare networks

A home-based care network is a group of caregivers who look after a number of children as part of a chartered home-base care network. Being part of a chartered network means that like other licensed and chartered ECE services, home-based care networks receive government funding and operate within education and other relevant legal parameters. Each home-based care network must have its own co-ordinator or co-ordinators. This person has the overall responsibility for the individual network.

Home-based care networks are the foundations for licensed home-based care. In order to gain funding from the government, home-based care networks must have a signed charter. Some home-based care networks may arrange care for up to 80 children at a time while some of the larger networks cover more than 25 homes. Home-based care works on a series of networks between caregivers/educators and co-ordinators and parents. Services are grouped together in networks, which are supervised by co-ordinators who are legally required to have the same qualifications as carer/educators who are the teacher in charge at other types of ECE services.

This means they must have a Diploma in Teaching (ECE) or a similar qualification.

Regulation 44 (1) (d) (ii) requires that, at all times while children attend the home-based network service, there is 1 person responsible for every 50 children, this means that every licensed home-based service must have one person responsible who is the coordinator, for every 50 children attending at any one time. For home-based network services with 51-80 children attending there must be two persons responsible. Most of the larger organisations of home-based networks

provide training to caregivers that can be credited towards qualifications in home-based care. Home-based care services may be privately owned and operated or community-based they are reviewed by the Education Review Office. If the criteria are met a license is issued on the payment of a fee of \$2,756.25 to the chief executive of the Ministry (New Zealand Legislation, 2020b).

Additional requirements for licensed home-based education and care service networks

A service provider who operates a licensed home-based education and care service network must:

- Maintain a list of the homes used in connection with the service and make it available on request
- Ensure that the requirements of the regulations are being complied with in respect of each home used in connection with the service
- Ensure that he or she the home-based network service provider can cease to provide the service at any home in respect of which the requirements of the regulations are not being satisfied
- Ensure that he/ she have access to all premises while children are participating in the service at those premises.

The person responsible for a licensed home-based education and care service network must:

- Contact each educator engaged in the service at least once per fortnight
- Visit each educator engaged in the service at least once per month
- Take all reasonable steps each month to observe each child participating in the service while that child is receiving education and care.

This does not apply in respect of a home-based education and care service during any period when the service is closed for a fortnight or longer (Education.govt.nz, 2020a).

Regulations

The regulations that govern ECE in New Zealand are divided into 3 tiers:

- The Education Act 1989 (New Zealand Legislation, 2020b)
- The regulations for ECE services and playgroups, which both came into force in 2008 (New Zealand Legislation, 2020a)
- The standards; which services must comply with (Ministry of Education, 2016a, 2016b).

Home-based care networks are covered by the same provisions of the Education Act 1989 as other early childhood services. However, rather than being subject to the Education (Early Childhood) Regulations 1998, home care networks are regulated by Education (Home-Based Care) Order Revocation Order 2016 (2016/72) previously the Education (Home-based Care) Order 1992 (New Zealand Legislation, 2016).

This order includes codes relating to the premises where home-based care takes place and to arrangements related to home-based care. There are provisions relating to the health and safety of children under care and provisions relating to the quality of services that must be provided by home-based care networks. The order requires the coordinators from the home-based care networks to contact the caregivers regularly and observe their practice on a regular basis. Provisions of the order to do with health and safety include those about:

- Minimum standards for the amount of indoor and outdoor space and access between the spaces
- Food and drink
- The physical arrangements made for laundry, sanitary and sleeping facilities
- Access to a first-aid cabinet and first-aid training for caregivers
- The protection of children from dangers arising from fire, earthquake and electrical fittings
- The isolation of sick children and the non-exposure of children to caregivers with infectious diseases.

Qualifications

Caregivers/educators are not legally required to have any qualifications in order to be a home-based caregiver. However Co-ordinators of home-based networks are legally required to have the same qualifications as those who are the teacher in charge at other types of ECE services this means they must have a Diploma in Teaching (ECE) or a similar qualification and a current practising certificate. While educators / home carers do not need to be qualified, a higher quality funding rate is available to home-based services employing educators with specified minimum qualifications. Further information is set out in the ECE Funding Handbook (Education.govt. net, 2020b).

Qualifications and funding

There are different funding rates which apply to home-based networks and qualifications of caregivers/carers and co-ordinators has a bearing on the funding rate applied to that network. The minimum level of qualification required in order to apply for funding is one module of the New Zealand Qualification Authority (NZQA) Early Childhood (Home-based) qualification.

Most home-based networks require that their carers/educators have undergone this first aid training. Some of the home-based networks operate under umbrella organisations which provide some training to potential carers/educators and then offer further opportunity to complete higher levels of training (Ministry of Education, 2016b).

Ratio: 1:4

Service type	Ages of children attending	Number of children attending	Number of adults required (minimum)
Home-based education and care service	Under 2 years old	1-2	1
	2 years old or over	1-4	1
	Mixed	1-4	1

(New Zealand Legislation 2020c)

Age range:

For a home-based education and care service, the age range is for children aged under 6 years who are not enrolled in primary education.

Inspection and Powers of Entry to Licensed and Unlicensed Services

Any person authorised by the Ministry's Secretary of Education must be allowed entry to inspect a premises providing a licensed home-based education and care service or any offices of a service provider that are related to those premises. A warrant does not have to be provided as The Ministry of Education has power to inspect without warrant "at any reasonable time" under Section 319B of the Education Act 1989 (New Zealand Legislation, 2020b).

The 'inspector' may inspect, copy, or remove any documents belonging to the licensed service, and return the documents or a copy of them to the service as soon as practicable, unless to do so would

prejudice any investigation being or to be carried out by the Ministry. Inspection with a warrant may take place in the case of a premise that is believed to be operating as an early childhood education and care service without a licence. Inspection must take place within four weeks of the warrant being issued. Any person who obstructs, hinders, resists, or deceives a person authorised by the Ministry's Secretary of Education to enter the premises may be fined up to \$2,000.

The Education Review Office (ERO)

The Education Review Office (ERO) is the Government Department in New Zealand that evaluates and reports on the education and care of students in schools and early childhood services. Early childhood services are reviewed on average once every three years. Reviews are more frequent where the performance of the early childhood service is poor and there are risks to the education and safety of the children. Reviews are less frequent where a school has a stable reporting history and demonstrates good self-review processes and use of its assessment information (Education Review Office 2020b).

Review Process

Advance notice of review

The educational Review Office contacts the provider to let them know when they are going to do a review. The ERO usually try and give between four to six weeks' notice to the service provider.

Information request and return

Providers are asked to complete an assurance statement and to provide a number of documents to help with the review. This information is sent by the provider at least two weeks before the Educational Review Office visit. Early learning service providers are asked to complete a self-report (Education Review Office, 2018). Providers are asked to use the reflective questions and to be prepared to discuss these with the review team on the day of the review.

Pre-review discussion

One of the review team leaders from the ERO speaks (usually by email or phone) to the provider about the review process and its focus. This gives the provider the opportunity to ask questions.

Educational Review Officers visit

The review team spends time at the early childhood learning service they speak to the provider, children and parents. The ERO also looks at documents provided and looks for evidence that shows the practices in place are working.

Initial findings

At the end of the visit, the review officer presents initial findings (high level) to the provider. This gives the provider a chance to have a conversation about the findings and what these mean.

Draft (unconfirmed) report

The provider receives a draft (or unconfirmed) report around four weeks after the on-site review. The provider is then invited to note any errors of fact, significant omissions or comment on any other matters related to the findings if needed and return their response to the review team.

Final report

The Educational Review team finalise the review report. One of the main aims of the report is to help the provider and the wider community understand what's working and where improvements can be made. The ERO then sends the report to the provider once it is complete. Ten working days after the report is sent to the provider the report is published on the ERO website.

Making improvements

The provider then starts to make the recommended changes. If the Educational Review Officer has concerns about a service, they request the Ministry of Education to get involved. This may mean providing supports to the service to make and implement improvements.

Escalation Processes

Suspension of license:

The Ministry of Education may suspend the service's licence, if satisfied on reasonable grounds that it is not in the interests of the children attending or participating in the service for the service to continue to operate, where:

- The service provider has physically ill-treated a child
- In guiding or controlling a child, subjected the child to solitary confinement or deprived the child of food, drink, warmth, shelter, mobility, or protection or failed to ensure that the child is not ill-treated

- Failed to prevent a person reasonably suspected of doing anything referred to above from having contact with the children or, if necessary, to exclude that person from the service.
- The service provider has failed to take all reasonable steps to ensure that children participating in the service do not come into contact with any member of staff or any other person involved in the provision of the service who is suffering from a disease or condition capable of being passed on to children which is likely to have a detrimental effect on children if passed on to them.

If satisfied that a licensed early childhood service is no longer under the control of its licensed service provider, the Ministry's secretary of Education may, by written notice to the licensed service provider, suspend the service's licence.

If satisfied that the service provider for a licensed early childhood service has not given the service's licence to the Secretary after it has been reclassified as a provisional licence, the Ministry's Secretary of Education may, by written notice to the service provider, suspend the service's licence.

A notice suspending a licence must specify the conditions under which the suspension will be revoked (New Zealand Legislation, 2020c).

Cancellation of licence

When proposing to cancel a licence the Ministry's secretary of Education must put a notice in the *Gazette*, cancelling the licence for an early childhood service if the Secretary is satisfied that in the case of a centre, children have attended the centre while its licence is suspended.

- A reasonable time has passed since the suspension of the service's licence, and the conditions specified in the notice affecting the suspension have not been complied with
- The service provider operating the service has been convicted of an offence against these regulations or an offence involving harm to children, violence, or fraud
- The service has permanently ceased to operate
- The service has ceased to be an early childhood service
- Has ceased to operate in the premises specified in the licence and has not been issued with a temporary relocation licence

Offences

Every person that commits an offence is liable on conviction to a fine not

exceeding \$500 who:

- Knowingly makes any false statement in an application under the regulations
- Knowingly makes any false statement that any early childhood service that is not licensed is a licensed service.

Appeals

Any person affected by any decision or direction of the Ministry's Secretary for Education under the regulations may within 14 days appeal against the decision or direction to a District Court with civil jurisdiction. For the purposes of hearing the appeal, the court has all the powers vested in it in its civil jurisdiction, and may make any order it thinks fit. Unless the Ministry's Secretary for Education advises the court any decision or direction appealed remains in full force until the court has reached its decision.

Conclusion

Based on the detail outlined above:

Childminders in New Zealand:	<p>Any premises in New Zealand used regularly for the education and care of three or more children (not being the children of the person providing the care) under the age of six must apply to the Ministry of Education for a licence provide the service.</p> <p>Home based child carers in New Zealand, provide “education or care, for gain or reward, to children who are under the age of six years, or who are six years of age but not enrolled in school. Home –based services are registered as part of a home based childcare network.</p>
Place:	<ul style="list-style-type: none"> ➤ The children’s own home ➤ The home of the person providing the education or care ➤ Any other home nominated by the parents of the children
Age range:	Under six years not attending primary school
Ratio:	1:4
Inspectorate:	Education Review Office
Inspection under:	Licensing Criteria for Early Childhood Education and Care Services 2008
Regulations:	<ul style="list-style-type: none"> ➤ The Education Act 1989 (New Zealand Legislation, 2020b) ➤ The regulations for ECE services and playgroups, which both came into force in 2008 (New Zealand Legislation, 2020a) ➤ The standards; which services must comply with (Ministry of Education, 2016a, 2016b) <p>Home-based education and care services are defined in the Education Act 1989; home care networks are regulated by the Education (Home-based Care) Order 1992. The order specifies requirements in relation to health and safety, quality and also requires the coordinators from the home-based care networks to contact the caregivers regularly and observe their practice on a regular basis.</p>
Childminders / home based carers / educators:	Age 20 years or older
Qualifications:	<p>Caregivers/educators are not legally required to have any qualifications in order to be a home-based caregiver. However, if the caregiver wishes to apply for funding they are required to have at a minimum one module of the NZQA Early Childhood (Home-based) qualification and most home-based networks require first aid training</p> <p>Co-ordinators of home-based networks are legally required to have the same qualifications as those who are the teacher in charge at other types of ECE services. This means they must have a Diploma in Teaching (ECE) or a similar qualification</p>

Specific to New Zealand

In New Zealand any premises used regularly for the education or care of three or more children (not being the children of the person providing the care) under the age of 6 must apply to the Ministry of Education for a licence to provide the service (there are some exceptions like registered schools and children's health camps). Two licences are required to operate a home based child care service, one for the premises and one for the service provider.

Licencing types

- Full License
- Provisional – centre found or alleged to be non-compliant, specifies the requirements to be complied with and by when
- Suspended – centre must cease operation
- Transitional – centre is changing service type, e.g. session to all-day
- Probationary – while a full licence application is processed and only if applicant is deemed 'fit and proper' and all requirements are met
- Temporary relocation – for up to 10 months.

Home-based Care Networks

In New Zealand Home-based care networks are the foundations for licensed home-based care. The Home based Care Order 1992, requires home-based network providers to;

- Contact each educator engaged in the service at least once per fortnight.
- Visit each educator engaged in the service at least once per month.

Inspections of home-based settings are conducted in the setting and are also conducted on the home-based network provision.

Final Conclusion

Context

This review explored the regulation and inspection of child minders in six jurisdictions, the findings confirm that the description of childminders varies significantly across the six countries. In the Irish context a childminder is an individual who single handedly cares for children in her/his own home. In other jurisdictions a childminder may be an individual, may work with a childminding assistant or assistants, be a partner in a childminding service or be employed by a childminding network or scheme. The definition of a childminder is one of the most significant findings of this review.

The approach to the professionalisation of the childminding sector with the introduction of childminding networks and schemes in the six countries reviewed provides clear pathways for the re-conceptualisation of childminding in the Irish context. It was interesting to note that a mandatory age was identified for childminders in five of the six areas reviewed with the exception of Scotland. The mandatory minimum age to be a childminder in four areas was 18 years with an upper age limit in Finland of 68 years; the mandatory minimum age in New Zealand is 20 years. In three jurisdictions, England, Boston and New Zealand childminders are required to provide evidence of medical fitness and in Boston the childminders vaccination records are required. In England childminders are required to demonstrate that they have a satisfactory level of English to ensure the health safety and development of children in their care.

The ratios of children to childminders, also varies based on the type of childminding service provided. The adult child ratio in the six jurisdictions reviewed ranges from 1:4 in Finland, with 1:6 in England and Scotland and 1:7 in New South Wales where 4 of the children are not attending school and 1: 10 in Boston, where the childminder works with an assistant.

The range of qualifications required by childminder also varies across the jurisdictions where there is no requirement for a qualification to voluntary and mandatory face to face and online training requirements prior to registration. In England childminders are required to have appropriate First Aid, have completed child protection training and other training and any specific training as required by the local authority. While in New South Wales childminders are required to have First Aid, anaphylaxis and asthma management training. There is no legal requirement for training in Scotland, however all potential childminders must complete induction training which consists of nine modules via an online eLearning platform. Childminders in Scotland are also required to undertake continual professional learning. In Boston childminders must complete First Aid and Cardiac Pulmonary Resuscitation (CPR) training, potential

childminders must attend a mandatory potential provider meeting and attend in person a child care orientation training programme. Childminders in receipt of the Childcare and Development funding are required to undertake training on twelve essential topics; this training is available on the Licensing Education Analytic Database (LEAD).

In Finland all childminders must have a vocational qualification in family day care, while in New Zealand there is no legal requirement for childminders to hold a qualification, however if the childminder is in receipt of funding she/ he is required to have a minimum of one module home based qualification completed. In New South Wales and New Zealand, the coordinators of the childminding networks/ services/ schemes are required to have a qualification equivalent to that of a teacher. There are also very strict guidelines for the childcare network or schemes where the coordinator to education ratio in NSW is 1: 15, there can only be 12 full day care educators per scheme. In New Zealand the home base care networks can care for up to 80 children with larger networks covering the care for more than 25 homes. The ratio in New Zealand for coordinator / children in the home based networks are one person to every 50 children or two people for 50 – 80 children.

Registration

Registration of childminders and childminding services across the five jurisdictions also varies. In England the registration of childminders is conducted by Ofsted. There are two registers the compulsory register for childminders looking after children from 0-8 years and the voluntary register for those who look after children who are over eight years old. Application for registration is online and a registration visit is conducted by Ofsted to decide on the registration status. In New South Wales all family day care educators must be registered with an approved family day care service / scheme. When applying for a licence to be a childminder the proposed childminder must put a notice of intention in a daily newspaper within 10 days of making the application. Licensing is twofold the childminder applies for registration and the day care scheme must also be registered. In Scotland registration is online or by hard copy. A registration fee is payable and an annual continuation fee also applies; a registration inspection is conducted by the Care Commission. Registration in Scotland may be granted unconditionally, registration subject to conditions or registration may be refused. In Boston there are three types of licenses based on the number of children cared. The Department of Early Education and Care developed the Licensing Education Analytic Database (LEAD) which is a cloud-based system for all licensing functions.

In Finland the majority of day care providers are employed by the municipality or (Kunta), however self-employed childminders are required to be registered with the municipality (Kunta). Childminders in New Zealand are licensed with the Ministry of Education. There are a number of different types of licenses, these include, full, provisional, transitional, probationary, temporary, and a relocation license. The registration for licence in New Zealand is also two fold, a licence must be attained stating that the premises is fit for purpose and the childminder must get a licence to confirm that he/she is fit and proper to operate a child care service. Home base care networks also require a specific licence. It is a requirement of all of the jurisdictions reviewed that childminders post their licence or registration together with amendments or conditions in a conspicuous place.

Inspection

The inspection of childminding provision also varies across the different jurisdictions. In England inspections of childminders are carried out by the Office for Standards in Education Childrens Services and Skills (OFSTED). Inspections are carried out to evaluate the overall quality and standards of provision they are carried out on a four year cycle. Childminders in England are not routinely inspected a random selection of 10% of registered childminders are inspected unless there are reasons for concern. All inspections are graded on a 1-4 level and Ofsted have developed a quality audit tool to support providers to self-evaluate their practice. In New South Wales within three months of the granting of service approval the provider must prepare a quality improvement plan for the service under a range of headings which measure both the structural and process elements of quality. The self-assessment plan carried out by the provider must identify areas which may require improvement and state the philosophy of the care programme. The Regulatory Authority provides written notice that the assessment and rating process has begun. Within a month the provider must submit the quality improvement plan together with any other requested documentation to the authority. An inspection visit is conducted within two to four weeks after receipt of the documentation. A draft report is returned to the childminder for factual accuracies. This is followed by the final report which is publically available on the national register. The national register is updated daily. The report outlines the quality of provision based on a five level rating scale.

In Scotland the Care Inspectorate send an email four weeks before inspection requesting the childminder to complete a self-assessment form online. A parent questionnaire is also forwarded to circulate to parents. The childminder returns the parent questionnaires to the inspectorate. The parent questionnaire informs the inspection and the inspectorate may also contact parents

directly. Inspections are usually unannounced but in the case of childminders the inspector may ring beforehand to check if the childminder will be minding children on the proposed inspection day. Inspectors give feedback on the day of inspection and grade levels of 1-6 are applied which outline the quality of the care provision. The draft report is emailed to the childminder to check for factual accuracy, the finalised report is posted on the Care Commission website and childminders are expected to share the report with parents. In Boston visits to determine compliance are conducted by the Department of Early Education and Care. Visits by the Office are unannounced. The report details compliance and non-compliance against the Regulations. The Office may request a plan for compliance which must be submitted within 30 days.

In Finland following law reform in 2015 the responsibility for monitoring ECEC provision now lies with the Finnish National Agency for Education. In Finland there are no inspections of education at any level, sample –base and thematic evaluations are the basis for the National evaluation and quality assurance system. Childcare providers in Finland have a statutory duty to evaluate their own activities. External inspections of structural quality are rare and usually only occur following a complaint. Childcare providers are expected to self-evaluate their practice and this is the responsibility of the municipalities. The Finnish Education Evaluation Centre (FINEEC) act as an independent expert organisation in the evaluation of early childhood curriculum programmes. FINEEC have developed a self-assessment system which includes the criteria for evaluation of the quality of provision including quality indicators and a digital evaluation system.

In New Zealand review of childminding provision is undertaken by the Education Review Office (ERO). Childcare services are reviewed on average every three years unless otherwise required. Providers are given 4-6 weeks' notice of the review. The providers then complete an assessment statement and provide required documentation to the ERO. In the case of childminders they are encourage to reflect on their practice prior to the review date. The review team speaks to the childminder, children and parents, a draft report is issued and the finalised report is published on the website. It is clear that there are many similarities in each jurisdiction in relation to the inspection processes.

Inspection across the six jurisdictions is conducted in some areas against the Regulations such as in Boston. However, in England, New South Wales, Scotland and New Zealand inspections of childminders are based on standards or frameworks. In England Ofsted conducts inspections against the statutory framework for the Early Years Foundation Stage (EYFS) (Department of Education, 2017). In New South Wales the National Quality Framework is the national system

for the regulation and quality assessment of child care and early learning services (New South Wales Government, 2019a). Similarly, in New Zealand quality is reviewed by the Education Review Office based on the criteria outlined in the document; *Indications of quality in early childhood education; what matters most* (Education Review Office, 2020a). The approach is different in Finland where self-evaluation is a statutory requirement and the Finnish Education Evaluation Centre developed an instrument for childcare providers to self-evaluate and implement the early years curriculum in practice.

Enforcement

In England the role of Ofsted is to establish whether a registered person is meeting the requirements of the statutory framework for the Early Years Foundation Stage (EYFS). Ofsted's enforcement powers can only be used when particular thresholds are not met. Enforcement includes suspension of registration for an initial period of six weeks. This initial suspension can be extended to a maximum of 12 weeks. Ofsted can also apply conditions to registration, however this is usually only done in exceptional circumstances and all procedures are applied based on sufficient and reliable evidence. In New South Wales enforcement and infringement offences such as offences against the Regulations are subject to financial penalties. The penalties are outlined in the Regulations, penalties range from between \$1000 and \$2000 Australian dollars per offence. The service provider is subsequently named on the child care enforcement action register which also highlights the financial penalties applied. In Scotland if the Care Inspectorate finds an early years service is not good enough they have a number of options to deal with this. These options include discussion with the childminder regarding the service provision, imposing a condition or serve an improvement notice which gives the childminder a specified amount of time to improve. If the improvements are not made the Care Inspectorate can cancel registration. The Care Commission advised the local authority about any enforcement action in the local authority area.

In Boston where any care provision is found to be non-compliant with the Regulations, the Early Childhood Education and Care Department Office may order the licensee to correct the non-compliance in a *Deficiency Correction Order*. The order prescribes the time period for correction to be made. There are a number of sanctions and fines which the Department may impose; these include ceasing the enrolment of new children or reducing the number of children or a component of the programme which the licensee is licensed to accommodate. The childminder may be required to hire a consultant, hire additional staff or fund a mentor who will

be accountable to the office. A civil fine may be applied if the licensee fails to comply or correct the deficiency fines range from \$50 to \$250 per fine for family day care. The Department inform state funding agencies of sanctions applied to a licence. In Finland inspection of structural quality is rare and usually only occurs following a complaint. Self-evaluation is a statutory requirement of all early childhood service providers. In New Zealand the escalation process is conducted by the Ministry of Education. The Ministry has the power to suspend a services licence, based on a number of criteria and thresholds. A notice of suspension must always specify the conditions under which the suspension can be re revoked. The Ministry may also cancel a licence, in this instance a notice is put in the *Gazette* the official newspaper of the New Zealand government cancelling the licence. Equally any person committed of an offence is liable to conviction and a fine not exceeding \$ 500, there is a process for the childcare provider to appeal the process.

To conclude the findings of this review based on secondary research will provide opportunities to consider registration, inspection and enforcement in early years services in Ireland. The review is a valuable document which can be used to support reflection on proposed regulation, registration and inspection of childminding provision in Ireland. From a policy perspective this document will support the implementation of; *First 5: the Early Learning and Care Strategy for babies, children and their families* (DCYA, 2018) in particular it will support thinking about ‘the extension of regulations and supports to all paid childminders’ (P.11).

References

Australian Childrens Education and Care Quality Authority (2020a) National Quality Framework, Available at: <https://www.acecqa.gov.au/national-quality-framework> (Accessed on 02/July 2020).

Australian Childrens Education and Care Quality Authority (2020b) *Guide to the National Quality Framework* Available at: https://www.acecqa.gov.au/sites/default/files/2020-01/Guide-to-the-NQF_2.pdf (Accessed on 02/July 2020).

Australian Childrens Education and Care Quality Authority (2020c) *Qualifications for family day care services*, Available at: (2020b)<https://www.acecqa.gov.au/qualifications/requirements/family-day-care-services> (Accessed on 05/July 2020).

Australian Childrens Education and Care Quality Authority (2020d) *Quality Improvement Plan*, Available at: <https://www.acecqa.gov.au/assessment/quality-improvement-plans> (Accessed on 05/July 2020).

Australian Childrens Education and Care Quality Authority (2020e) *Early childhood teacher registration and accreditation*, Available at: <https://www.acecqa.gov.au/qualifications/early-childhood-teacher-registration-and-accreditation> (Accessed on 02/July 2020).

Australian Childrens Education and Care Quality Authority (2020f) *Review of ratings* Available at: <https://www.acecqa.gov.au/assessment/review> (Accessed on 05/July 2020).

Australian Childrens Education and Care Quality Authority (2020g) *National Registers*, Available at: <https://www.acecqa.gov.au/resources/national-registers> , (Accessed on 05/July 2020).

Australian Childrens Education and Care Quality Authority (2018a) *National Quality Standard*, Available at: <https://www.acecqa.gov.au/nqf/national-quality-standard> (Accessed: 01 July 2020).

Australian Childrens Education and Care Quality Authority, (2018b) *National Law*, Available at: <https://www.acecqa.gov.au/nqf/national-law-regulations/national-law> (Accessed: 01 July 2020).

Australian Childrens Education and Care Quality Authority, (2018c), *operating an early childhood education service Approvals Process*, Available at: <https://education.nsw.gov.au/early-childhood-education/operating-an-early-childhood-education-service/regulation-assessment-and-rating/approvals-process>

Australian Childrens Education and Care Quality Authority (2018d) *National Quality Standard Concept Descriptor* Available at: <https://www.acecqa.gov.au/sites/default/files/2018-07/RevisedNQSHandoutA4.pdf> (Accessed: 01 July 2020).

Australian Childrens Education and Care Quality Authority, (2018e), *2018 National Quality Standard Assessment and Rating Instrument* Available at: https://www.acecqa.gov.au/sites/default/files/2018-01/NQS_AssessmentAndRatingInstrument.pdf (Accessed: 01 July 2020).

Care Inspectorate (2015) *Register a Childminding Service* Available at: [https://www.careinspectorate.com/index.php/register-a-care-service/register-a-childminding-service#:~:text=The%20legal%20definition%20of%20a,Reform%20\(Scotland\)%20Act%202010.](https://www.careinspectorate.com/index.php/register-a-care-service/register-a-childminding-service#:~:text=The%20legal%20definition%20of%20a,Reform%20(Scotland)%20Act%202010.) (Accessed: 06 July 2020).

Care Inspectorate (2012a) *Registering and running a childminding service: what you need to know*. Available at: <https://www.careinspectorate.com/images/documents/157/Registering%20and%20running%20a%20childminding%20service%20-%20what%20you%20need%20to%20know%20-%20Oct%2013.pdf> (Accessed: 06 July 2020).

Care Inspectorate (2012b) *Childminders: what to expect when we inspect*, Available at: <https://www.careinspectorate.com/images/documents/1432/CI%20Childminders%20what%20to%20expect%20when%20we%20inspect.pdf> (Accessed: 06 July 2020).

Care Inspectorate (2012) *Fire Precautions in Domestic Childminding Premises – A Guide for Childminders* Available at: <https://www.careinspectorate.com/images/documents/1844/Fire%20precautions%20a%20guide%20for%20childminders%20-%20nov2012.pdf> (Accessed: 06 July 2020).

Childminding UK OFSTED (2020) Available at: <https://childmindinguk.com/ofsted>: (Accessed: 01 July 2020).

DCYA: Department of Children and Youth Affairs, (2018) *First 5: A Whole-of-Government Strategy for Babies, Young Children and their Families*, Dublin: Stationery Office.

DCYA: Department of Children and Youth Affairs, (2014) *Better outcomes, brighter futures: The national policy framework for children and young people 2014–2020*, Dublin: Stationery Office.

Department for Education (2017) *Statutory Framework for the Early Years Foundation Stage*. Available at: <https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2> (Accessed: 01 July 2020).

Education.govt.nz (2020a) *Licensing criteria for home-based ECE services*, Available at: <https://www.education.govt.nz/early-childhood/licensing-and-regulations/the-regulatory-framework-for-ece/licensing-criteria/home-based-ece-services/further-home-based-regulatory-guidance/> (Accessed: 14 July 2020).

Education.govt.nz (2020) *ECE Funding Handbook*, Available at: <https://minedu.cwp.govt.nz/early-childhood/funding-and-data/funding-handbooks/ece-funding-handbook/cover/> (Accessed: 15 July 2020).

Education Review Office (2020a) *PIKI AKE, KAKE AKE FOR THOSE WHO ASPIRE TO SEEK EXCELLENCE Indicators of quality for early childhood education: what matters most*, Available at: <https://www.ero.govt.nz/assets/Uploads/Te-Ara-Poutama-Indicators-of-quality-full-document.pdf> (Accessed: 14 July 2020).

Education Review Office (2020b) *The review process for early learning services and schools*, Available at: <https://www.ero.govt.nz/how-ero-reviews/how-ero-reviews-early-childhood-services-and-schools/> (Accessed: 14 July 2020).

Education Review Office (2018) *Self-report for an early childhood service*, Available at: <https://www.ero.govt.nz/how-ero-reviews/ero-reviews-of-early-childhood-services-and-kohanga-reo/#self-reports-for-early-childhood-services> (Accessed: 14 July 2020).

ESPOO (2020) *Family and group family day care*, Available at: https://www.espoo.fi/en-US/Childcare_and_education/Early_childhood_education/Early_childhood_education_premises/Family_and_group_family_day_care (Accessed: 13 July 2020).

Eurydice (2020) Finland; *Organisation of early childhood education and care*, Available at: https://eacea.ec.europa.eu/national-policies/eurydice/content/organisation-early-childhood-education-and-care-other-pre-primary-education_en (Accessed: 01 July 2020).

Finnish National Agency for Education (2020a) Available at: <https://www.oph.fi/en/education-system/early-childhood-education-and-care-finland> (Accessed: 09 July 2020).

Finnish National Agency for Education (2020b) *National core curriculum for ECEC in a nutshell*, Available at: <https://www.oph.fi/en/education-and-qualifications/national-core-curriculum-ecec-nutshell> (Accessed: 09 July 2020).

Finnish Education Evaluation Centre (FEEC) (2019) *Guidelines And Recommendations For Evaluating the Quality Of Early Childhood Education And Care*, Available at: https://karvi.fi/app/uploads/2019/03/FINEEC_Guidelines-and-recommendations_web.pdf (Accessed: 09 July 2020).

Finnish Education Evaluation Centre (FEEC) (2020) Available at: https://karvi.fi/app/uploads/2020/06/FINEEC_T1620.pdf (Accessed: 09 July 2020).

Finnish Education Evaluation Centre (FEEC) (2020) Available at: <https://karvi.fi/en/early-childhood-education/> (Accessed: 09 July 2020).

Government of Ireland (2016) *Child Care Act 1991 (Early Years Services) Regulations 2016*. Dublin, Government Publications.

Gov. UK (2018) *Childminders and childcare providers: register with Ofsted*, Available at: <https://www.gov.uk/guidance/childminders-and-childcare-providers-register-with-ofsted> (Accessed: 19 April 2019).

Gov.UK (2020a) *Childminders and childcare providers: register with Ofsted*, Available at: <https://www.gov.uk/guidance/childminders-and-childcare-providers-register-with-ofsted/registration-requirements> (Accessed: 01 July 2020).

Gov.UK (2020b) *Health declaration form For early years and social care applications*, Available at: <https://www.gov.uk/guidance/childcare-and-childrens-social-care-health-declaration-form> (Accessed: 01 July 2020).

Kiwi Families (2020) *Home –Based Care* Available at: <https://www.kiwifamilies.co.nz/articles/home-based-care/> (Accessed: 14 July 2020).

Legislation.Gov.UK (2014a) *Childcare (Childminder Agencies) (Miscellaneous Amendments) Regulations 2014*, Available at: <http://www.legislation.gov.uk/ukxi/2014/1921/regulation/1/made> (Accessed: 01 July 2020).

Legislation.Gov.UK (2014b) *The Childcare (Welfare and Registration Requirements) (Amendment) Regulations 2014*, Available at: <http://www.legislation.gov.uk/primary+secondary/2014?title=Childcare%20%28Welfare%20and%20Registration%20Requirements%29%20%28Amendment%29%20Regulations%202014> (Accessed: 01 July 2020).

Legislation. Gov.UK (2011) *The Social Care and Social Work Improvement Scotland (Requirements for Care Services) Regulations 2011*, Available at: <http://www.legislation.gov.uk/ssi/2011/210/made> (Accessed: 01 July 2020).

Legislation.Gov.UK (2010) *Public Services Reform (Scotland) Act 2010*, Available at: <http://www.legislation.gov.uk/asp/2010/8/contents> (Accessed: 06 July 2020).

Legislation.Gov. UK (2008) *The Childcare (Early Years and General Childcare Registers) (Common Provisions) Regulations 2008*, Available at:
<http://www.legislation.gov.uk/ukxi/2008/976/contents/made> (Accessed: 01 July 2020).

Legislation.Gov.Uk (2006) *Childcare Act 2006*, Available at:
<http://www.legislation.gov.uk/ukpga/2006/21/contents> (Accessed: 01 July 2020).

Legislation.Gov.Uk (2001) *Regulation of Care (Scotland) Act 2001*, Available at:
<http://www.legislation.gov.uk/asp/2001/8/contents> (Accessed: 06 July 2020).

Mass.gov (2020a) *Learn about Family Child Care*, Available at:
<https://www.mass.gov/service-details/learn-about-family-child-care> (Accessed: 07 July 2020).

Mass.gov (2020b) *LEAD Portal: Licensing Transactions*, Available at:
[https://www.mass.gov/info-details/lead-portal-licensing-transactions#eec-lead-portal:-family-child-care-provider-training-\(english\)-](https://www.mass.gov/info-details/lead-portal-licensing-transactions#eec-lead-portal:-family-child-care-provider-training-(english)-) (Accessed: 07 July 2020).

Mass.gov (2020c) *Learn about Family Child Care Assistant requirements*, Available at:
<https://www.mass.gov/service-details/learn-about-family-child-care-assistant-requirements> (Accessed: 07 July 2020).

Mass.gov (2020d) *Apply for a Family Child Care provider license*, Available at:
<https://www.mass.gov/how-to/apply-for-a-family-child-care-provider-license> (Accessed: 07 July 2020).

Mass.gov (2020e) *Professional Qualifications Registry*, Available at:
<https://www.eec.state.ma.us/PQRegistry/> (Accessed: 07 July 2020).

Mass.gov (2020f) *Learn about the Massachusetts Quality Rating and Improvement System (QRIS)* Available at: <https://www.mass.gov/service-details/learn-about-the-massachusetts-quality-rating-and-improvement-system-qr> (Accessed: 07 July 2020).

Mass.gov (2019) *EEC Essentials Training Requirements*, Available at: Available at:
<https://www.mass.gov/guides/eecs-strongstart-online-professional-development-system#-new-eec-essentials-training-in-the-strongstart-online-pds-> (Accessed: 07 July 2020).

Mass.gov (2017) *Family Childcare Medical Form*, Available at:
<https://www.mass.gov/files/2017-08/family-child-care-medical-form.pdf> (Accessed: 07 July 2020).

Mass.gov (2016) Office of Child Care Services, *ENFORCEMENT STANDARDS AND DEFINITIONS FOR LICENSURE OR APPROVAL*, Available at: <https://www.mass.gov/files/documents/2016/08/xf/enforcement-standards-definitions-licensure-approval.pdf> (Accessed: 07 July 2020).

McGinnity, F., Murray, A. and McNally, S., (2013) *Growing Up in Ireland: National Longitudinal Study of Children: Mothers' return to work and childcare choices for infants in Ireland*. Department of Children and Youth Affairs.

Ministry of Education (2016a) *Licensing Criteria for Home-based Education & Care Services 2008 and Early Childhood Education Curriculum Framework*, Available at: <https://www.education.govt.nz/assets/Documents/Early-Childhood/Licensing-criteria/ECE-Licensing-Booklet-Home-Based-AUG-2018.pdf> (Accessed: 14 July 2020).

Ministry of Education (2016b) *Licensing Criteria for Early Childhood Education & Care Services 2008 and Early Childhood Education Curriculum Framework*, available at: <https://www.education.govt.nz/assets/Documents/Early-Childhood/Licensing-criteria/ECE-Licensing-Booklet-Early-Childhood-Aug2018.pdf> (Accessed: 14 July 2020).

Ministry of Education and Culture (2020a) *Legislation on early childhood education and care*, available at <https://minedu.fi/en/legislation-eccec> (Accessed: 09 July 2020).

Ministry of Education and Culture (2018) *Act on Early Childhood Education and Care*, Available at: (540/2018)<https://www.finlex.fi/en/laki/kaannokset/2018/en20180540.pdf> (Accessed: 09 July 2020).

New South Wales Government (2020a) *Regulatory Framework*. Available at: <https://education.nsw.gov.au/early-childhood-education/operating-an-early-childhood-education-service/regulation-assessment-and-rating/regulatory-framework> (Accessed: 05 July 2020).

New South Wales Government (2020b) *Assessment and rating Process*, Available at: <https://education.nsw.gov.au/early-childhood-education/operating-an-early-childhood-education-service/regulation-assessment-and-rating/assessment-and-rating-process> (Accessed: 05 July 2020).

New South Wales Government (2020c) *Approvals Process*, Available at: <https://education.nsw.gov.au/early-childhood-education/operating-an-early-childhood-education-service/regulation-assessment-and-rating/approvals-process> (Accessed: 05 July 2020).

New South Wales Government (2020d) Compliance Policy Early Childhood Education and Care Quality Assessment and Regulation. Available at: <https://education.nsw.gov.au/content/dam/main-education/early-childhood-education/operating-an-early-childhood-education-service/media/documents/eccec-compliance-policy.pdf> (Accessed: 05 July 2020).

New South Wales Government (NSW) (2019a) *National Education and Care Services Regulations*, Available at: <https://www.legislation.nsw.gov.au/#/view/regulation/2011/653> (Accessed: 01 July 2020).

New South Wales Government (NSW) (2019b) *Application for provider approval*, Available at: <https://education.nsw.gov.au/content/dam/main-education/early-childhood-education/operating-an-early-childhood-education-service/media/documents/application-for-provider-approval-application-guide.pdf> (Accessed: 01 July 2020).

New South Wales Government (NSW) (2019a) *National Quality Framework*, Available at: <https://education.nsw.gov.au/early-childhood-education/whats-happening-in-the-early-childhood-education-sector/news-and-events/ec-extra/news-archive/march-2018/NQF-guidance-for-Family-Day-Care> (Accessed: 01 July 2020).

New South Wales Government (2012) *Education and Care Services National Regulations* <https://www.legislation.nsw.gov.au/#/view/regulation/2011/653>, Available at:

New South Wales Government (NSW) (2011) *Children (Education and Care Services) Supplementary Provisions Act 2011*, Available at: <https://www.legislation.nsw.gov.au/#/view/act/2011/70/full> (Accessed: 01 July 2020).

New South Wales Government; NSW Legislation (2010) *Children (Education and Care Services National Law Application) Act 2010*, Available at: <https://www.legislation.nsw.gov.au/#/view/act/2010/104> (Accessed: 02 July 2020).

New South Wales Government; NSW Legislation (1996), *Family Day Care and Home Based Child Care Services Regulation 1996* Available at: <https://www.legislation.nsw.gov.au/~view/regulation/1996/412/part1> (Accessed: 02 July 2020).

New Zealand Legislation (2020a) *Education Act 1989 No. 80, 309 Interpretation*, Available at: http://www.legislation.govt.nz/act/public/1989/0080/latest/DLM187091.html?search=sw096be8ed80ffcb47+home-based+25_se&p=1 (Accessed: 02 July 2020).

New Zealand Legislation (2020b) *Education Act 1989 No. 80*, Available at: <http://www.legislation.govt.nz/act/public/1989/0080/latest/DLM175959.html> (Accessed: 14 July 2020).

New Zealand Legislation (2020c) *Education (Early Childhood Services) Regulations 2008*, Available at: <http://www.legislation.govt.nz/regulation/public/2008/0204/latest/DLM1412501.html> (Accessed: 14 July 2020).

New Zealand Legislation (2016) *Education (Home-Based Care) Order 1992* <http://prd-lgnz-nlb.prd.pco.net.nz/regulation/public/1992/0238/latest/DLM165942.html> (Accessed: 14 July 2020).

Oberhuemer, P., I. Schreyer, and M.J. Neuman (2010) *Professionals in early childhood education and care systems. European profiles and perspectives*. Opladen/Farmington Hills MI: Barbara Budrich.

Ofsted (2020c) *Carrying out childcare Register inspections*, Available at: <https://www.gov.uk/guidance/carrying-out-childcare-register-inspections> (Accessed: 01 July 2020).

Ofsted (2020), *Become a childminder or nanny (England)* Available at: <https://www.gov.uk/become-childminder-nanny/print> (Accessed: 01 July 2020).

Ofsted (2020) *Office for Standards in Education, Children's Services and Skills; About Us*, Available at: <https://www.gov.uk/government/organisations/ofsted/about> (Accessed: 01 July 2020).

Ofsted (2019a) *Early Years inspection handbook for Ofsted registered provision* https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/828465/Early_years_inspection_handbook.pdf (Accessed: 01 July 2020).

Ofsted (2019b) *Early Years Compliance Handbook*, Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/789620/Early_Years_Compliance_Handbook_260319.pdf (Accessed: 01 July 2020).

Ofsted (2018) *Pre-registration briefing for those wishing to become childminders*, Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/873502/Registration_for_childminders_pre-registration_presentation_for_LAs_Mar2020.pdf (Accessed: 01 July 2020).

Ofsted (2014) *Childcare Register requirements: childminder and home childcare a childcare fact sheet* Available at:

<https://dera.ioe.ac.uk/20749/1/Childcare%20Register%20requirements%20-%20cm%20and%20hc%20from%20September%202014.pdf> (Accessed: 01 July 2020).

Schreyer, I. and P. Oberhuemer (2017) “Finland – Key Contextual Data”. In *Workforce Profiles in Systems of Early Childhood Education and Care in Europe*, edited by P. Oberhuemer and I. Schreyer. www.seepro.eu/English/Country_Reports.htm Available at: http://www.seepro.eu/English/pdfs/FINLAND_Key_Data.pdf (Accessed: 13 July 2020).

Scottish Childminding Association (2020) News, Available at: <https://www.childminding.org/ELC> (Accessed: 06 July 2020).

Scottish Childminding Association: *Guide to Becoming a Childminder A step-by-step guide to the Care Inspectorate registration process*, Available at: https://www.childminding.org/Media/Docs/Becoming_a_childminder.pdf.pdf (Accessed: 01 July 2020).

The Scottish Government (2005): *The National Care Standards (2005) Early Education and Childcare up to the age of 16* Available at: <https://www.webarchive.org.uk/wayback/archive/20150404101211/http://www.nationalcarestandards.org/24.html> (Accessed: 06 July 2020).

The Working Group on Reforms and Supports for the Childminding Sector (2018) *Pathway to a quality support and assurance system for childminding, Volume 1: Summary Report of the Working Group on reforms and supports for the childminding sector* Available at: <https://www.childminding.ie/wp-content/uploads/2018/03/ChildmindingVol1-230318.pdf> (Accessed: 01 July 2020).

Taguma, M., Litjens, I. and Makowiecki, K., (2012) *Quality Matters in Early Childhood Education and Care: Finland*. OECD Publishing. 2, rue Andre Pascal, F-75775 Paris Cedex 16, France Avail at: <https://files.eric.ed.gov/fulltext/ED530922.pdf> (Accessed: 01 July 2020).